

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 11 NUMBER 56

Washington, Thursday, March 21, 1946

The President

PROCLAMATION 2682

ARMY DAY, 1946

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the Army of the United States has performed gallantly its part, in magnificent cooperation with our Allies, in accomplishing the utter defeat in the past year of the enemy nations that threatened our freedom and required us to defend it in the most terrible war in history;

WHEREAS our Army continues in active service to the nation in occupying parts of enemy countries to insure the establishment of a lasting peace; and

WHEREAS the Congress, by Senate Concurrent Resolution 5, 75th Congress, agreed to by the House of Representatives on March 16 1937, has recognized April 6 of each year as Army Day and has requested that the President issue a proclamation annually with respect to that day:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may give especial honor to our Army, to the soldiers of World War II, and to the soldiers who defended our liberty in other wars, do hereby proclaim Saturday, April 6, 1946, as Army Day, and do invite the Governors of the several States to issue proclamations calling for the observance of that day.

I also remind our citizens that our Army, charged with responsibility for defending the United States and our territorial possessions, can carry out its duty only with the full support of our people. I urge my fellow citizens to be mindful of the Army's needs, to the end that our soldiers overseas do not lack the means of performing effectively their continuing duties, and in order that the hardship of their separation from home and loved ones may be alleviated in every possible way. I know that our people will always remember the soldiers who have suffered that we might remain free, and the families of those who have sacrificed their lives for our cause.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 20th day of March in the year of our Lord nineteen hundred and [SEAL] forty-six, and of the Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN

By the President:

JAMES F. BYRNES,
Secretary of State.

[F. R. Doc. 46-4711; Filed, Mar. 20, 1946;
11:58 a. m.]

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

Subchapter B—Immigration Regulations

FOREIGN GOVERNMENT REPRESENTATIVES TO INTERNATIONAL ORGANIZATIONS

The following amendments and additions to Chapter I are issued:

PART 105—HEAD TAX

The following paragraph is hereby added to § 105.3, Title 8, Chapter I, Code of Federal Regulations:

§ 105.3 *Aliens not subject to head tax.* The head tax shall not be levied upon the following classes of aliens:

* * * * *

(p) *Foreign government representatives to international organizations.* Representatives of foreign governments in or to international organizations designated by the President by Executive order as entitled to enjoy privileges, exemptions, and immunities as international organizations under the International Organizations Immunities Act (59 Stat. 669), or officers or employees of such international organizations, and the families, attendants, servants, and employees of such representatives, officers, or employees.

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

The 1944 Supplement to the Code of the Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3 per book.

Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

Book 3: Titles 33-50, including a general index and ancillary tables.

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(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675; 8 U.S.C. 102, 222, 458; sec. 1, Reorg. Plan No. V (3 CFR, Cum. Supp., Ch. IV); 8 CFR, 1943 Supp., 90.1)

The following part is hereby added to Title 8, Chapter I, Code of Federal Regulations:

PART 123—FOREIGN GOVERNMENT REPRESENTATIVES TO INTERNATIONAL ORGANIZATIONS

- Sec.
- 123.1 Qualifications.
 - 123.2 Exemptions.
 - 123.3 Admission.
 - 123.4 Extension of stay.
 - 123.5 Violation of status.

AUTHORITY: §§ 123.1 to 123.5, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675; 8 U.S.C. 102, 222, 458; sec. 1, Reorg. Plan No. V (3 CFR, Cum. Supp., Ch. IV); 8 CFR, 1943 Supp., 90.1; interprets and applies secs. 7 (a), (c), and (d) and sec. 8 (a) of the Act of December 29, 1945 (59 Stat. 669).

§ 123.1 *Qualifications.* The qualifications for the admission of an alien to the United States as a nonimmigrant under the provisions of subsection (7) of section 3 of the Immigration Act of 1924 shall be:

(a) The alien shall satisfy the immigrant inspector that he is coming temporarily to the United States as (A) a representative of a foreign government

in or to an international organization designated by the President by Executive order as entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (59 Stat. 669), or as an officer or employee of such an international organization, or as a member of the family of such a representative, officer, or employee, or as (B) an attendant, servant, or employee of such a representative, officer, or employee.

(b) The alien shall present whatever document or documents are required in such cases by applicable Executive order or orders and regulations prescribing the documents required for the entry of aliens.

§ 123.2 *Exemptions.* An alien qualified for admission as prescribed in § 123.1 shall be accorded the following exemptions from provisions of the immigration laws:

(a) The alien shall not be required to be registered and fingerprinted under the provisions of Title III of the Alien Registration Act, 1940 (54 Stat. 673; 8 U.S.C. 451): *Provided*, That this exemption shall not extend to a member of the family unless he is closely related by blood or marriage to, and is regularly residing in the household of, an alien within Group (A) of § 123.1 (a): *Provided further*, That this exemption shall not apply to an attendant, servant, or employee of an alien within said Group (A) unless such attendant, servant, or employee is regularly residing as a domestic employee in the household of the employer: *Provided further*, That this exemption shall not extend to the alien unless his status is approved by the Secretary of State in accordance with the provisions of section 8 (a) of the International Organizations Immunities Act (59 Stat. 669): *Provided further*, That if the alien ceases to maintain the status of an alien not amenable to the registration and fingerprinting requirements, he shall within 30 days of such cessation apply for registration and to be fingerprinted.

(b) The alien shall not be required to furnish bond.

(c) The alien shall be entitled to the benefit of the provisions of the tenth proviso to section 3 of the Immigration Act of February 5, 1917 (39 Stat. 875; 8 U.S.C. 136 (r)), including the head tax exemption prescribed in § 105.3 (p) of this chapter.

§ 123.3 *Admission.* The alien, if in Group (A) of § 123.1 (a), shall not be admitted for a specific period of time but shall be admitted for the duration of his existing status. The alien, if in Group (B) of § 123.1 (a), shall be admitted for whatever period, not to exceed one year, is appropriate to accomplish the purpose of his temporary stay in the United States. If the immigrant inspector conducting the examination of the alien is satisfied that the alien is admissible under this part, the inspector may admit the alien. If the inspector is not so satisfied, he shall hold the alien for hearing before

a board of special inquiry. The facts of the admission of an alien under the provisions of this part shall be endorsed by the immigrant inspector in any passport or similar official document held by the alien and presented by him in connection with his admission.

§ 123.4 *Extension of stay.* An alien admitted under the provisions of this part and within Group (B) of § 123.1 (a) may apply for an extension of the time of his temporary admission. Such application should be submitted on Form I-539 approximately 30 days before the expiration of the period of admission, or previously authorized extension thereof, to the officer in charge at the port where the admission occurred. The officer in charge shall make such verifications and inquiries as are appropriate and shall forward the application through the office of the district director to the Commissioner of Immigration and Naturalization with a report of the facts and a recommendation.

§ 123.5 *Violation of status.* (a) An alien admitted to the United States under the provisions of this part shall be deemed to have remained in the United States for a longer time than permitted by the conditions of his admission or to have failed to maintain the status under which admitted if:

(1) He is found in the United States after he ceases to have the status under which admitted; or

(2) If in Group (B) of § 123.1 (a), he remains in the United States after the expiration of the time for which he was temporarily admitted or after the expiration of any authorized extension or extensions of such period; or

(3) He violates or is found to have violated in any other way the conditions under which he was admitted or under which he was permitted to remain in the United States temporarily for an additional period.

(b) Any such alien shall be made the subject of deportation proceedings in accordance with the provisions of section 14 of the Immigration Act of 1924 (43 Stat. 162; 8 U.S.C. 214) and the provisions of Part 150 of this chapter: *Provided*, That with respect to aliens within Group (A) of § 123.1 (a) the Secretary of State shall be notified at once of the contemplation or institution of such proceedings: *Provided further*, That with respect to aliens within said Group (A) departure from the United States shall not be required without the prior approval of the Secretary of State.

This order shall become effective on the date of its publication in the FEDERAL REGISTER.

T. B. SHOEMAKER,
Acting Commissioner of
Immigration and Naturalization.

Approved:

TOM C. CLARK,
Attorney General.

[F. R. Doc. 46-4625; Filed, Mar. 19, 1946;
4:40 p. m.]

Chapter II—Office of Alien Property Custodian

PART 503—GENERAL ORDERS

EXTENSION OF TIME FOR FILING NOTICES OF CLAIM UNDER VESTING ORDERS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, determining that it is in the national interest to extend the time for filing notices of claim under vesting orders as hereinafter set forth, and that adherence to a period of limitation expiring prior to August 1, 1946, may cause undue hardship or inequity to claimants, hereby further amends General Order No. 21 to read as follows:

§ 503.21 *General Order No. 21, as amended.* (a) Without limitation by reason of any provision as to a specified claim period in any vesting order heretofore issued, any person, except a national of a designated enemy country, asserting any claim arising as a result of a vesting order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, Form APC-16 or Form APC-17, as may be appropriate, at any time up to and including August 1, 1946, or within such further time as may be provided in any such order or on application or otherwise.

(b) The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

(40 Stat. 411, 50 U. S. C. App.; 55 Stat. 839, 50 U. S. C. App. and Sup.; E.O. 9193, 3 CFR Cum. Supp.; E.O. 9567, 10 F.R. 6917)

Executed at Washington, D. C., on March 14, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4573; Filed, Mar. 19, 1946; 12:14 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING MILITARY INFORMATION

INFORMATION ON WAR DEPARTMENT CONTRACTS AND SITE LOCATIONS

Section 105.25 is revoked as follows:

§ 105.25 *Information on War Department contracts and site locations.* [Revoked]

(R. S. 161; 5 U. S. C. 22) [W. D. Cir 397, 9 Oct. 1944]

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 46-4598; Filed, Mar. 19, 1946; 1:50 p. m.]

Chapter VII—Personnel

PART 703—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

OFFICERS APPOINTED IN THE ARMY OF THE UNITED STATES

Section 703.218 is rescinded and the following substituted therefor:

§ 703.218 *Waiver of physical defects.* Deviations from normal physical standards that will not interfere with nor prevent the full and satisfactory performance of the duty for which the individual is being appointed or is being ordered to active duty, and that are not of a nature likely to be aggravated to a disabling degree by active military service, may be waived in the manner and under the conditions authorized in current War Department instructions.

(Act of Sept. 22, 1941, 55 Stat. 728; 10 U.S.C. Supp. 484) [C2, AR 605-10, 22 Aug. 1945]

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 46-4599; Filed, Mar. 19, 1946; 1:50 p. m.]

TITLE 29—LABOR

Chapter VI—National Wage Stabilization Board

[General Wage Approval 5]

PART 805—GENERAL WAGE APPROVALS REFRACORIES INDUSTRY

§ 805.5 *General wage approval for the refractories industry.* (a) Pursuant to section 3 (a) of Executive Order 9697 (11 F.R. 1691), the National Wage Stabilization Board finds that, as a result of general wage adjustments of 18½¢ per hour in the basic steel industry, approved on February 21, 1946 by General Order No. 1 of the Office of Stabilization Administrator, a gross inequity exists between the basic steel industry and the related refractories industry, as hereinafter defined. This relationship is established by the facts that the steel industry is a principal customer of the refractories industry and that wage rate adjustments in a leading segment of the refractories industry in the past have coincided with wage rate adjustments in the basic steel industry.

(b) For purposes of this section the refractories industry is defined as follows:

All mines, quarries, and plants of those companies primarily engaged in the mining or production of firebrick or other fire-clay refractories, and other heat-resisting clay products such as clay glass-house tank blocks, stoppers, floaters or rings, and of crucibles and refractories made of materials other than clay, such as graphite, magnesite, chrome, silica, and silicon carbide.

(c) Any wage or salary increase granted to employees within the jurisdiction of the National Wage Stabilization Board and put into effect by an employer in the refractories industry, as de-

fined in paragraph (b) of this section shall be deemed approved within the meaning of section 3 (a) of Executive Order 9697 to the extent (1) that such increase does not exceed 18½ cents per hour over and above the straight time rates such employees were receiving on August 17, 1945, and (2) that since January, 1941, such employer has made general wage or salary increases which in the aggregate are substantially the same as the wage or salary increases made by the basic steel industry.

(d) An employer who seeks an adjustment in the price ceiling for his product or products based upon the wage or salary adjustments herein approved shall indicate to the Office of Price Administration in any price relief application that the adjustments have been made or agreed upon pursuant to this section.

(e) On request of any employer or collective bargaining representative involved, accompanied by pertinent factual information, the National Wage Stabilization Board will issue rulings as to whether any specified plant or plants come within the terms of this section.

Approved by the National Wage Stabilization Board March 18, 1946.

B. M. JAFFE,
Acting Executive Director.

[F. R. Doc. 46-4674; Filed, Mar. 20, 1946; 11:34 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Order 33]

PART 602—GENERAL ORDERS AND DIRECTIVES FREE MOVEMENT OF COAL VIA GREAT LAKES

In order to permit the free movement of coal via the Great Lakes as soon as the weather allows navigation on the lakes, the following order is issued.

(a) Notwithstanding the provisions of § 602.706 of SFAW Regulation No. 27, as amended, and the provisions of Notice of Direction to Producers of Coal in Districts 7 and 8 issued December 7, 1945 (10 F.R. 14862), any shipper, on and after March 20, 1946, may ship surplus coal via lake to any commercial dock operator or consumer without first obtaining the permission of any Area Distribution Manager or any other SFAW approval.

(b) Notwithstanding the provisions of SFAW Regulation No. 25, as amended, any commercial lake dock operator and any industrial consumer may receive any surplus coal authorized to be shipped by section (a) of this order.

This order shall take effect 12:01 a. m. March 20, 1946.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176, 58 Stat. 827 and 59 Stat. 658)

Issued this 19th day of March 1946.

DAN H. WHEELER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 46-4629; Filed, Mar. 20, 1946; 10:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, as Amended Mar. 18, 1946.]

Sec.

- 944.1 Purpose and scope of this regulation; definitions.
- 944.2 Rules for acceptance and rejection of rated orders.
- 944.3 Report to Civilian Production Administration of improperly rejected orders.
- 944.4 Assignment of preference ratings.
- 944.4a Cancellation of preference ratings.
- 944.5 Sequence and description of preference ratings
- 944.6 Doubtful cases.
- 944.7 Sequence of filling rated orders.
- 944.8 Delivery or performance dates.
- 944.9 Report to Civilian Production Administration of improper delay of orders.
- 944.10 Effect of other regulations and orders.
- 944.10a Effect of revocation of orders and regulations.
- 944.11 Use or disposition of material acquired with priorities assistance.
- 944.12 Intra-company deliveries.
- 944.13 Scope of regulations and orders.
- 944.13a Defense against claims for damages.
- 944.14 Inventory restriction.
- 944.14a Delivery for unlawful purposes prohibited.
- 944.15 Records.
- 944.16 Audit and inspection.
- 944.17 Reports.
- 944.18 Violations.
- 944.19 Appeals for relief in exceptional cases.
- 944.20 Notification of customers.

§ 944.1 Purpose and scope of this regulation; definitions. This regulation states the basic rules of the Civilian Production Administration which apply to all business transactions unless they are covered by more specific regulations or orders of the Civilian Production Administration which are inconsistent with this regulation. It includes transactions which are not subject to priority control in any other way than by this regulation. The following definitions apply for purposes of this regulation and any other regulation or order of the Civilian Production Administration, unless otherwise indicated.

(a) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) [Deleted Oct. 1, 1945.]

(c) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

¹ This document is a restatement of Amendment 1 to Priorities Regulation 1 as amended Dec. 20, 1945, which appeared in the FEDERAL REGISTER Mar. 20, 1946 (10 F.R. 2924), and reflects the order in its completed form as of Mar. 18, 1946.

§ 944.1b [Deleted Oct. 1, 1945.]

§ 944.2 Rules for acceptance and rejection of rated orders. Every order bearing a preference rating must be accepted and filled regardless of existing contracts and orders except in the following cases:

(a) A person must not accept a rated order for delivery on a date which would interfere with delivery on equal or higher rated orders which he has already accepted, or if delivery of the material ordered would interfere with delivery on an order which the War Production Board or Civilian Production Administration has directed him to fill for that material or for a product which he makes out of it.

(b) A person must not accept a rated order (except an AAA order) for delivery on a date which can be met only by using material which was specifically produced for delivery on another rated order, and which is completed or is in production and scheduled for completion within 15 days.

(c) If a person, when receiving a rated order bearing a specific delivery date, does not expect to be able to fill it by the time requested, he must not accept it for delivery at that time. He must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date. He may adopt either of these two courses, depending on his understanding of which his customer would prefer. He may not reject a low rated order just because he expects to receive conflicting higher rated orders in the future, nor because he would for any reason prefer to have higher ratings.

(d) If a person receives a rated order which is not required by § 944.8 to bear a specific delivery date and which he cannot fill promptly, he must accept it as long as he expects to be able to fill it within a reasonable time, unless he makes a consistent practice of not carrying a backlog and rejecting orders which cannot be promptly filled. He may treat different classes of customers differently in this respect, but only if there is a reasonable basis for the distinction. For example, he may make a regular practice of rejecting unfillable orders from all retailers but holding for backlog orders from all industrial customers.

(e) A rated order need not be (but may be) accepted in the following cases, but there must be no discrimination in such cases against rated orders, or between rated orders of different customers:

(1) If the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. (When a person who has a rating asks a supplier to quote his regularly established prices and terms of sale or payment or the earliest date on which he could make delivery on that rating, the supplier must do so, except that if this would require detailed engineering or accounting work, he may give his best estimate without such work and state that it is not binding. However, the supplier need not quote if he is not required to accept the rated order and

knows that he will not do so if he receives it. Any quotation as to delivery date to a person whose order has not been received will be subject to the effect on the supplier's deliveries of rated orders received by him after making the quotation and before he receives the firm order from the person making the inquiry.)

(For status of OPA ceiling prices under this section see Interpretation 2. For rule covering types of sales and types of purchases see Interpretation 3.)

(2) If the order is for the manufacture of a product or the performance of a service of a kind which the person to whom the order is offered has not usually made or performed, and in addition if either (i) he cannot fill the order without substantially altering or adding to his facilities or (ii) the order can readily be performed by someone else who has usually accepted and performed such orders.

(3) If the order is for material which the person to whom the order is offered produces or acquires for his own use only, and he has not filled any orders for that material within the past two years, except on "special sales" as permitted in Priorities Regulation 13. If he has, but the rated order would take more than the excess over his own needs, he may not reject the rated order unless filling it would interfere with equal or higher rated orders already on hand, or orders which the War Production Board or Civilian Production Administration has directed him to fill, for the material or for a product which he makes out of it.

(4) If filling the order would stop or interrupt his production or operations during the next 40 days in a way which would cause a substantial loss of total production or a substantial delay in operations.

(For types of contracts which must be deferred see Interpretation 1b. For rule as to deferment of orders on steel, copper and aluminum producers, see Direction 11.)

(f) Any person who fails or refuses to accept an order bearing a preference rating shall, upon written request of the person placing the order, promptly give his reasons in writing for his failure or refusal.

(g) Some orders of the Civilian Production Administration provide special rules as to the acceptance and rejection of orders for particular materials. In such cases, the rules stated above in this section are inapplicable to the extent that they are inconsistent with the applicable order of the Civilian Production Administration. In addition, the Civilian Production Administration may specifically direct a person in writing to fill a particular purchase order or orders. In such cases he must do so without regard to any of the above rules in this § 944.2, except that he may insist upon compliance with regularly established prices and terms of payment.

§ 944.3 Report to Civilian Production Administration of improperly rejected orders. When a rated order is rejected in violation of this regulation, the person who wants to place it may file a report of the relevant facts with the Civilian Pro-

duction Administration, which will take such action as it considers appropriate after requiring an explanation from the person rejecting the order.

§ 944.4 Assignment of preference ratings. Preference ratings may be assigned to contracts, orders or deliveries by means of preference rating certificates, or by rules, regulations or orders of the Civilian Production Administration assigning ratings to particular orders or deliveries or to specified classes of orders or deliveries. Such ratings may be assigned to accepted contracts or orders, and also to orders which have not been placed or accepted at the time the rating is applied for. Ratings are also assigned by certain governmental agencies, authorized by the Civilian Production Administration, to their own purchase orders or contracts. In some cases the Civilian Production Administration will raise or lower ratings already assigned and in that event the rules of Priorities Regulation 12 (§ 944.33) apply. Specific orders may also be issued as to particular deliveries or as to the use of particular facilities, without assigning ratings thereto.

§ 944.4a Cancellation of preference ratings. If a preference rating which has been assigned to a named person is revoked, he must immediately, in the case of each order to which he has applied the rating either cancel the order or inform his supplier that it is no longer to be treated as rated. If a regulation or order of the Civilian Production Administration which assigns a rating to a class or group of persons without naming them individually, is revoked they may not apply the rating to orders placed after the revocation. Orders to which they have already applied the rating for delivery within three months after the revocation remain validly rated, but, in the case of each order which they have placed for delivery after three months from that date, they must either cancel the order or withdraw the rating. If any person receives notice from his customer or otherwise that the customer's order is no longer rated or that the customer's order is cancelled, he must immediately withdraw any extensions of the rating which he has made to any order placed by him for more than \$25 worth of material. The Civilian Production Administration may specify different rules for the treatment of outstanding ratings at the time it revokes them.

(For the rules about transferring preference ratings when contracts are assigned, see Interpretation 5.)

§ 944.5 Sequence and description of preference ratings. (a) Preference ratings in order of precedence are: (1) AAA; (2) MM; (3) CC and HH, which are both of equal value. The conditions under which each of these ratings are generally assigned is given in paragraph (b) below.

(b) The above preference ratings are generally assigned as follows:

(1) The AAA rating is assigned in emergencies under existing procedures.

(2) The MM rating is assigned by the Army and Navy and other military and governmental agencies in accordance with the provisions of Directive 41 and other CPA Directives which may be issued from time to time. The CPA will not generally assign the MM rating, but may do so in a few instances for specific items and quantities of materials or equipment where it is clearly necessary for requirements of high urgency. Applications should not be filed with the CPA for a MM rating unless a published order or regulation of the CPA announces that the CPA will assign it.

(3) The CC rating is assigned as described in Priorities Regulations 28 and 28A. These Regulations describe the limited conditions under which the CPA will generally assign the CC rating.

(4) The HH rating is assigned for housing under the rules explained in Priorities Regulation 33.

(c) The rules for the extension of the above ratings are explained in Priorities Regulation 3.

§ 944.6 Doubtful cases. Whenever there is doubt as to the preference rating applicable to any order, the matter is to be referred to the Civilian Production Administration for determination, with a statement of all pertinent facts.

§ 944.7 Sequence of filling rated orders. (a) Every person who has rated orders on hand must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date (determined as explained in § 944.8). If this is not possible for any reason, he must give precedence to higher over lower rated orders and to all rated over unrated orders. However, material specifically produced for a rated order may not be used to fill a higher rated order (except AAA) subsequently received if the material is completed or is in production and scheduled for completion within 15 days. A low rated order bearing an earlier delivery or performance date must be filled before a higher rated order bearing a later delivery or performance date if it is possible to fill both of them on the required dates.

(b) As between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. As between conflicting orders received with the same preference rating on the same date, precedence must be given to the order which has the earlier required delivery or performance date.

(c) If a rated order or the rating applicable to an order is cancelled when the supplier has material in production to fill it, he need not immediately stop to put other rated orders into production if doing so would cause a substantial loss of total production. He may continue to process that material which he had put into production for the cancelled order to a stage of completion which would avoid a substantial loss of total production, but he may not incorporate any

material which he needs to fill any rated order on hand. He may not, however, delay putting other rated orders into production for more than 15 days.

(For the effect of changes in customers' orders, see Direction 1 to this regulation. For further explanations of paragraph (b) see Interpretation 1c. For an explanation of how to determine the date on which a purchase order is received, see Interpretation 12.)

§ 944.8 Delivery or performance dates.

(a) Every rated order placed after March 18, 1944, must specify delivery or performance on a particular date or dates or within specified periods of not more than 31 days each, which in no case may be earlier than required by the person placing the order. Any order which fails to comply with this rule must be treated as an unrated order. The words "immediately" or "as soon as possible", or other words to that effect, are not sufficient for this purpose. There are three exceptions to this rule, where a rated order need not bear a required delivery or performance date as long as it is understood that delivery or performance is required as soon as practicable or customary: (1) Orders placed with or by persons who normally take physical delivery of the item ordered to hold it in stock for resale; (2) orders for not more than \$100; (3) orders rated AAA.

(b) The required delivery or performance date, for purposes of determining the sequence of deliveries or performance pursuant to § 944.7, shall be the date on which delivery or performance is actually required. The person with whom the order is placed may assume that the required delivery or performance date is the date specified in the order or contract unless he knows either (1) that the date so specified was earlier than required at the time the order was placed, or (2) that delivery or performance by the date originally specified is no longer required by reason of any change of circumstances. A delay in the scheduled receipt of any other material which the person placing the order requires prior to or concurrently with the material ordered, shall be deemed a change of circumstances within the meaning of the foregoing sentence.

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it on time or within 15 days following the specified time, owing to the receipt of higher rated orders or for other reasons, he must promptly notify the customer, telling him approximately when he expects to be able to fill the order. Inability to fill the order on time or within fifteen days following the specified time does not authorize a supplier to cancel the order.

§ 944.9 Report to Civilian Production Administration of improper delay of orders. When delivery or performance of a rated order is unreasonably or improperly delayed, the customer may file a report of the relevant facts with the Civilian Production Administration, which will take such action as it considers appropriate after requiring an explanation from the person with whom the order is placed.

§ 944.10 *Effect of other regulations and orders.* Specific allocations or other directions of the Civilian Production Administration for delivery of material or the use of facilities must be complied with regardless of ratings, unless otherwise specified. If restrictions under two or more regulations or orders of the Civilian Production Administration apply to the same subject matter, the most restrictive controls unless otherwise expressly provided. Rated orders are not exempt from restrictions on the amount of materials that may be made or delivered unless expressly so stated.

§ 944.10a *Effect of revocation of orders and regulations.* (a) When an order or regulation of the Civilian Production Administration is revoked, all published amendments, schedules, appendices, and directions to that order or regulation are revoked, unless otherwise stated in the instrument revoking the order or regulation.

(b) All directions, authorizations, production or delivery schedules and other instruments addressed to named persons pursuant to any order or regulation which was revoked before October 1, 1945, are revoked on October 1, 1945. Whenever an order or regulation of the CPA is revoked on or after October 1, 1945, all directions, authorizations, allocations, production or delivery schedules and other instruments addressed to named persons pursuant to that order or regulation are revoked, unless otherwise stated in the instrument of revocation. Any material which was obtained by means of any such revoked direction, authorization, allocation, etc., may be used or disposed of only as permitted under paragraph (b) of § 944.11.

NOTE: The instrument of revocation for many orders is Priorities Regulation 31.

(c) "Suspension orders" and "consent orders" issued on the basis of a violation of orders and regulations of the War Production Board or Civilian Production Administration remain in effect after revocation of such orders and regulations, unless otherwise provided. If you are subject to a suspension order or consent order which you think should be lifted or modified because of the lifting of the restriction on which the violation was based, you may address a request for relief to the Chief Compliance Commissioner, Civilian Production Administration, Washington 25, D. C.

§ 944.11 *Use or disposition of material acquired with priorities assistance.* (a) Any person who gets material with priorities assistance must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This restriction applies to material obtained by means of a preference rating (AAA, MM, CC or HH, allocation, specific direction, or any other action of the War Production Board or Civilian Production Administration. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product. The above restriction does not apply in the following two cases,

but the rules on further use or disposition in paragraph (b) below must be observed: (1) When a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priorities assistance was given (for example, when the priorities assistance was given to fill a particular contract or purchase order and the material or product does not meet the customer's specifications or the contract or purchase order is cancelled); (2) when the material was obtained by means of a rating in the AA series or a CMP allotment, or by means of any order, regulation, rating, allocation, specific direction or other action of the WPB or CPA which has been revoked or cancelled, unless otherwise stated in the instrument of revocation or in any other action of the CPA (for example, Direction 12 to Priorities Regulation 1).

(b) A material or product subject to paragraph (a) (1) or (2) above may be used or disposed of only as follows:

(1) If the holder acquired or made the material or product for use and not for sale or resale and is not regularly engaged in the business of selling it, a proposed sale by him is a special sale covered by Priorities Regulation 13 and he may sell or transfer it only as provided in that regulation.

(2) If the proposed sale is not a special sale described by paragraph (b) (1), the holder may sell as long as he complies with all requirements of other applicable sections of this regulation and of other orders and regulations of the Civilian Production Administration. This is true of all such sales of any material including scrap.

(3) The holder may, within the limitations of paragraph (f) of Priorities Regulation 32 (inventory restriction on processing), use the material or product himself in any manner or for any purpose as long as he complies with all applicable CPA orders and regulations. If the intended use is prohibited or restricted, he must appeal or otherwise apply for permission under the applicable order or regulation.

§ 944.12 *Intra-company deliveries.* When any rule, regulation or order of the Civilian Production Administration prohibits or restricts deliveries of any material by any person, such prohibition or restriction shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(For rule as to effect of inventory and small order provisions on separate operating units of same company see Interpretation 8.)

§ 944.13 *Scope of regulations and orders.* All regulations and orders of the Civilian Production Administration (including directions, directives and other instructions) apply to all subsequent transactions even though they are covered by previous contracts. Regulations and orders apply to transactions in the territories or insular possessions of the United States unless the regulation or

order specifically states that it is limited to the continental United States or to the 48 states and the District of Columbia. However, restrictions of Civilian Production Administration orders or regulations on the use of material or on the amount of inventory shall not apply when the material is used or the inventory is held directly by the Army or Navy outside the 48 states and the District of Columbia, unless otherwise specifically provided. Regulations and orders do not apply to transactions in the Philippine Islands unless they specifically state that they do. Exports and deliveries of material to be exported may be made regardless of any CPA order or regulation restricting inventories of material or uses thereof in manufacture or otherwise, or requiring certificates with respect to such inventories or uses, insofar as such inventories are maintained or such uses occur in the country to which such material is to be exported, but shall be subject to such restrictions with respect to inventories maintained or uses occurring within the United States prior to export.

(For applicability of certain restrictions in CPA orders to exports, see Interpretation 18.)

§ 944.13a *Defense against claims for damages.* No persons shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with any rule, regulation or order of the Civilian Production Administration, notwithstanding that any such rule, regulation or order shall thereafter be declared by judicial or other competent authority to be invalid.

§ 944.14 *Inventory restrictions.* No person may deliver or receive into inventory more of any material than is permitted under Priorities Regulation 32. That regulation takes the place of the rules formerly in this section.

§ 944.14a *Delivery for unlawful purposes prohibited.* No person shall deliver any material which he knows or has reason to believe will be accepted, redelivered, held or used in violation of any order or regulation of the Civilian Production Administration.

§ 944.15 *Records.* Each person participating in any transaction to which any rule, regulation or order of the Civilian Production Administration applies shall keep and preserve for at least two years accurate and complete records of the details of each such transaction and of his inventories of the material involved. Such records shall include the dates of all contracts or purchase orders accepted, the delivery dates specified in such contracts or purchase orders, and in any preference rating certificates accompanying them, the dates of actual deliveries thereunder, description of the material covered by such contracts or purchase orders, description of deliveries by classes, types, quantities, weights and values, the parties involved in each transaction, the preference ratings, if any, assigned to deliveries under such contracts or purchase orders, details of rated orders (or other orders required by the Civilian Production Administration

to be filled) either accepted or offered and rejected, and other pertinent information. Records kept by any person pursuant to this section shall be kept either separately from the other records of such person and chronologically according to daily deliveries by such person, or in such form that such a separate chronological record can be promptly compiled therefrom. Whenever a regulation or order requires a person to restrict his operations in proportion to his operations in a base period (for example, an order may forbid him to use more of a certain kind of material than he used in the fourth quarter of 1942) he must determine, as accurately as is reasonably possible, his base period operations and preserve a written record of any figures and work sheets showing how he made his calculations for inspection by Civilian Production Administration officials as long as the regulation or order remains in force and for two years after that. Whenever a person is restricted as to the quantity of material he may use in production or the amount he may produce, under quota restrictions, limitation orders, authorized production schedules, special directions or similar provisions, he must keep reasonably adequate records of the material consumed and of production to show whether he is complying with the restrictions. This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Photographic copies of records may be kept. See Interpretation 6.)

§ 944.16 Audit and inspection. All records required to be kept by this regulation or by any rule, regulation or order of the Civilian Production Administration shall, upon request, be submitted to audit and inspection by its duly authorized representatives.

§ 944.17 Reports. Every person shall execute and file with the Civilian Production Administration such reports and questionnaires as it shall from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. The rules on filing reports are explained in Priorities Regulation 8.

§ 944.18 Violations. Any person who violates any provision of this regulation or any other rule, regulation or order of the Civilian Production Administration, or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to the Civilian Production Administration, and any person who obtains a delivery, an allocation of material or facilities, or a preference rating by means of a material and wilful, false or misleading statement, may be prohibited by the Civilian Production Administration from making or obtaining further deliveries of material or using facilities under priority or allocation control and may be deprived of further priorities assistance. The Civilian Production Administration may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A)

of the Criminal Code (18 U. S. C. sec. 80), or under the Second War Powers Act (Public No. 507, 77th Congress, March 27, 1942).

§ 944.19 Appeals for relief in exceptional cases. Any person who considers that compliance by himself or another with a rule or regulation or order of the Civilian Production Administration would work an exceptional and unreasonable hardship on him may appeal for relief. The rules for the filing and handling of appeals are given in Priorities Regulation 16.

§ 944.20 Notification of customers. Any person who is prohibited from or restricted in making deliveries of any material by the provisions of any rule, regulation or order of the Civilian Production Administration shall, as soon as practicable, notify each of his regular customers of the requirements of such rule, regulation or order, but the failure to give notice shall not excuse any customer from the obligation of complying with any requirements applicable to him.

Issued this 18th day of March 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1A: Revoked August 28, 1945.

INTERPRETATION 1B

TYPES OF EXISTING CONTRACTS WHICH MUST BE DEFERRED

Section 944.2 of Priorities Regulation 1, as amended, makes compulsory the acceptance and filling of rated orders for any material, "regardless of existing contracts and orders". The "existing contracts" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced. Preference ratings are applicable to facilities as well as materials.

Examples of such "existing contracts" which must be subordinated to higher rated orders are (1) arrangements whereby a producer, regularly engaged in producing a given product for sale to others, leases a portion of his plant, or the whole of it for a relatively short period, as a going concern to one of his customers and operation is continued under the producer's management and with the producer's regular personnel; and (2) arrangements whereby such a producer, in lieu of buying raw materials and selling the product, accepts raw materials belonging to a customer for processing pursuant to a toll agreement or similar undertaking. If the deliveries to be made to such customer carry a preference rating, the sequence of deliveries as compared with deliveries to other persons placing orders with the producer is to be determined as provided in § 944.7 of Priorities Regulation No. 1. (Issued Mar. 18, 1944.)

INTERPRETATION 1C

SEQUENCE OF DELIVERIES AND PRODUCTION FOR RATED ORDERS

The provisions of § 944.7 (b) of Priorities Regulation No. 1, as amended, with respect to the sequence of deliveries bearing the same preference rating, are applicable only in cases where different deliveries bearing the same preference rating cannot be made on schedule. If material supply and available facilities permit deliveries bearing the same rating to be made on schedule, Regulation No. 1 does not have any particular effect on the sequence of production for such deliveries.

Where it is necessary to choose between deliveries bearing the same preference ratings, delivery to the customer from whom the order was first received with the rating is to be preferred and production schedules must be adjusted accordingly. For example, suppose a rated order is received from one customer in January for August delivery and another order bearing the same rating is received from a second customer in June calling for July delivery. If both deliveries cannot be made on schedule, the second customer is not permitted to get the material away from the first customer. The producer must defer production on the second order to the extent necessary to make delivery on the first order on the August delivery date. If, on the other hand, both deliveries can be made on schedule, it is not necessary to produce or make delivery on the first customer's order ahead of that of the second. (Issued Mar. 18, 1944.)

INTERPRETATION 1D: Revoked June 28, 1945.

INTERPRETATION 1E

ARMY INCLUDES PANAMA CANAL—NAVY INCLUDES COAST GUARD

(a) The definition of defense orders formerly appearing in § 944.1 (b) has been deleted since a blanket rating of AA-5 is no longer assigned to such orders. However, any reference to the Army without any other definition in any order of the Civilian Production Administration also applies to the Panama Canal, and a reference to the Navy, to the Coast Guard. (Issued Oct. 1, 1945.)

INTERPRETATION 2

REGULARLY ESTABLISHED PRICES AND OPA CEILING PRICES

An order bearing a preference rating may not be rejected on the ground that the price is below the regularly established price, if the purchaser offers the OPA ceiling price.

Section 944.2 of Priorities Regulation 1 makes the acceptance of rated orders mandatory except in the several situations specified in the section. The only exception dealing with price is contained in paragraph (e) (1) which states that a rated order need not be accepted "if the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment".

"Regularly established prices" cannot be higher than OPA ceiling prices. They may, however, be lower. (Issued Mar. 18, 1944.)

INTERPRETATION 3

REJECTION OF RATED ORDERS FOR FAILURE TO MEET ESTABLISHED PRICES AND TERMS

(a) Section 944.2 of Priorities Regulation 1 states that every order bearing a preference rating must be accepted and filled with certain exceptions listed in the section. One exception is where a buyer does not "meet regularly established prices and terms of sale or payment". This exception applies to a seller who receives a rated order for quantities which are less than the minimum which he regularly sells. For example, a manufacturer who has been selling only in carload lots may reject a rated order for a less than carload lot.

This exception applies similarly to a person who regularly sells only in multiples of a specified quantity and receives a rated order for a number which is not a multiple of that quantity. For example, a manufacturer who regularly sells his product only in standard shipping packages containing one dozen receives a rated order for 40. He may fill the whole order or he may fill it to the extent of 36 and reject it for 4.

A further problem arises when a manufacturer receives such an order with split ratings. For example, suppose the manufacturer who sells his product only in standard shipping packages of a dozen receives an order for 30 rated MM and 20 rated CC. In such

a case the general rule is that amounts in excess of a multiple of the standard shipping package ordered at higher ratings may be included with amounts ordered at lower ratings if the manufacturer wishes to adhere to his standard shipping package and not fill the order as received. He may then, in the case supposed, treat the order as one for 24 items rated MM and 24 rated CC and reject it for 2 of the items. Of course, he may fill the order as placed if he prefers to do so; but, if he does not he must fill it as illustrated above.

(b) The exception also applies to the seller who regularly sells only to certain types of trade purchasers, such as wholesalers, jobbers or retailers. He may reject orders from other types of purchasers but only if it is practicable to obtain the merchandise in the required quantity through regular trade channels.

(c) The exception applies to a manufacturer who receives a rated order which, together with orders on hand, totals less than his minimum production run of a product which is mass produced and cannot be filled from inventory. It makes no difference that he has regularly sold in quantities as small as that ordered. For example, suppose a manufacturer's minimum production run is 1,000 units, but he has regularly sold in lots of 10 units. At a time when he has none of the particular product in inventory and no orders on hand, he receives a rated order for 600 units. He may reject the order. If, however, he has on hand a previously accepted order for 400 units, he would be required to accept the order for 600 units.

(d) It should be noted that paragraph (e) of § 944.2 in which the above exception appears includes the requirement that "there must be no discrimination in such case against rated orders, or between rated orders of different customers." This means, for example, that a seller who sells principally at wholesale but also at retail to one or more customers may not reject rated retail orders from other customers. However, if a manufacturer or wholesaler has an exclusive distributor, either for all sales or for a particular territory, he may reject orders from other purchasers provided the exclusive distributor is in a position to fill the orders promptly. (Issued Oct. 1, 1945.)

INTERPRETATION 4: Revoked October 1, 1945.

INTERPRETATION 5

EFFECT OF ASSIGNMENT OF A RATED ORDER OR CONTRACT ON SEQUENCE OF DELIVERY

When a rated contract is assigned, the rating remains applicable to the contract as assigned if, but only if, the assignee uses the material covered by the contract for substantially the same purpose for which the rated contract was placed.

Examples. (1) The Navy places a rated order with A and A extends the rating to B. Later the Navy and A cancel the contract and the Navy enters into a new contract with C for delivery of the same product at the same time and applies the same rating to it. A assigns to C his contract with B. The rating which A had extended to B remains valid as of the time it was extended by A, and B must honor it in making delivery to C.

(2) A steel mill places an order for a repair part rated CC. The steel mill finds that it does not need the part but another steel mill needs the same and asks the first mill to assign its contract for the part. The second mill could also apply a CC rating to the delivery. However, it prefers to use the first mill's rating so as to come ahead of the orders which have been placed since the first mill placed its order. The second mill may not make this use of the rating, since the rated order was placed for the repair of the first mill's facilities and the purpose of the order has thus been changed.

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(3) The Civilian Production Administration assigns a rating on a Form WPB 541A to a textile manufacturer to buy some textile machinery. He places an order with a machinery manufacturer and applies the rating to the order. He decides he does not need the machinery but finds another textile producer who does need the machinery and is willing to purchase the same from him. He therefore assigns the contract for the machinery to the second textile producer. The rating does not apply to the delivery to the second producer since it was assigned by the Civilian Production Administration only for the purpose of filling a specific need shown by the first textile producer. (Issued Oct. 1, 1945.)

INTERPRETATION 6

MICROFILM RECORDS

Records required to be kept by § 944.15 of Priorities Regulation No. 1 or by any other order or regulation of the Civilian Production Administration may be kept in the form of microfilm or other photographic copies instead of the originals. (Issued Aug. 14, 1943.)

INTERPRETATION 7: Revoked August 28, 1945.

INTERPRETATION 8

EFFECT OF INVENTORY AND SMALL ORDER PROVISIONS ON SEPARATE OPERATING UNITS OF THE SAME COMPANY

(a) If an individual plant, branch store, division or other operating unit normally keeps separate inventory from the rest of the corporation or firm, inventory restrictions in Civilian Production Administration orders and regulations apply to it separately. Thus, although another unit may have exceeded an inventory limit, this does not prevent a unit which has not exceeded it from acquiring additional inventory within the limit.

(b) Likewise, if an order of the Civilian Production Administration provides an exemption for small purchases, an operating unit which normally buys separately need not consider purchases made by other units in determining whether it comes within the exemption.

(c) It may happen that the same operating unit will be treated separately for purposes of inventory restrictions but not for purposes of small order exemptions. For example, if a distributor purchases centrally for direct shipment to several outlets which keep separate inventories, the outlets are treated separately for purposes of inventory restrictions but the central purchasing agency must include all its purchases in determining whether a transaction comes within a small order exemption.

(d) This interpretation applies only in cases where a contrary rule is not expressly stated in the applicable Civilian Production Administration order or regulation. Also it only applies where the regular business practice of the unit in question is to keep a separate inventory or to buy separately. It does not apply if the regular practice has been changed just for the purpose of coming within this interpretation. (Issued Nov. 22, 1944.)

INTERPRETATION 9: Revoked March 18, 1944.

INTERPRETATION 10

EFFECT OF CANCELLATION OF A PURCHASE ORDER ON DIRECTIVE REQUIRING ITS IMMEDIATE PRODUCTION

In many instances, the Civilian Production Administration has issued directives to producers and manufacturers requiring them to produce particular orders ahead of their normal place on the producers' or manufacturers' schedules. Typical of such directives are directives requiring them to produce certain orders by a given date, regardless of the effect of doing so on the production of other orders.

If and when the particular orders are cancelled, the directives lose all effect. This is so since the reason for issuing the directives, namely, the urgent need for a particular product, no longer exists when the order for the product has been cancelled. (Issued Oct. 1, 1945.)

INTERPRETATION 11

PLACING AND ACCEPTANCE OF ORDERS FOR FUTURE DELIVERY CONDITIONED ON REMOVAL OF CPA RESTRICTIONS

(a) Some orders and regulations of the Civilian Production Administration forbid the placing or acceptance of purchase orders for certain materials or products unless the purchase orders bear specified preference ratings, or unless they are accompanied by special authorization or unless they meet some other condition. Such provisions do not, however, prohibit the placing or acceptance of a purchase order which by its express terms, is not to be filled until after removal of such restrictions by the Civilian Production Administration.

(b) A manufacturer may not, of course, schedule such orders for production or place material in production to fill such orders until after the applicable CPA restriction is removed. He may order materials needed to fill such orders, but his own orders must call for delivery at a future time when the material can be received under Priorities Regulation 32. Also, if he is ordering a material which is itself subject to a restriction on placing or accepting of orders, that purchase order must as well be conditioned on the removal of the restriction.

(c) [Deleted Oct. 1, 1945.]

(d) [Deleted Nov. 13, 1944.]

(Issued Oct. 1, 1945.)

INTERPRETATION 12

DATE ON WHICH PURCHASE ORDER IS RECEIVED

(a) Section 944.7 (b) provides that between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. Some questions have arisen as how to fix the date when the order was "received", due to the fact that occasionally specifications are not sent to the manufacturer with the customer's order. The word "order" as used in § 944.7 (b) means a purchase order accompanied by specifications in sufficient detail to enable the manufacturer to put the product in production. Not until such specifications have been furnished is there an "order". The date on which such specifications are furnished to the manufacturer is the date on which the order is "received". This date, and not the date on which the order without specifications was first received by the manufacturer, controls the position the order takes in the manufacturer's schedule.

For example, where an engine manufacturer on February 1st receives a rated order for fifty engines for July delivery but the customer does not, until March 1st, furnish the specifications as to carburetors, pumps, or other equipment, necessary before the engines can be put into production, March 1st is the date the "order was received" for the purposes of § 944.7 of Priorities Regulation No. 1.

(b) With respect to unrated orders which are subsequently rated, the order is not "received" for the purposes of § 944.7 until the supplier receives the application or extension of the rating properly certified. The date of the rated order is not retroactive to the time the original unrated order was placed. Similarly, where an order originally rated in the AA series became unrated after September 30, 1945, the subsequent application or extension of a AAA, MM or CC rating to the order does not relate back to the time the order was originally rated. (Issued Dec. 11, 1945)

INTERPRETATION 13

APPLICABILITY OF ORDERS AND REGULATIONS TO USED OR SECOND-HAND MATERIALS AND PRODUCTS

(a) Every order or regulation of the Civilian Production Administration applies to materials and products in used or second-hand form (other than scrap) to the same extent as to new items, unless the order or regulation or a published interpretation of it expressly states otherwise.

(b) [Deleted Oct. 1, 1945.]

(Issued Oct. 1, 1945.)

INTERPRETATION 14

SUMMARY OF CPA CONTROLS REGARDING IDLE OR EXCESS INVENTORIES

(a) *Purpose of this interpretation.* This interpretation summarizes some of the important rules on what to do when you have materials or products which are idle or excess in your inventory because of a termination or cut-back in your war contracts or other changes in your operations. These are not new rules on this subject, nor are they necessarily complete, but they are intended to be convenient references to rules which are now effective in CPA orders and regulations. As these orders and regulations are revised from time to time, you should be sure to look at the latest copies.

(b) *General rule.* The general rule is that if you got a material or product by using a preference rating, or other WPB or CPA priorities assistance, you must if possible use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This is the rule of § 944.11 (a) of Priorities Regulation 1, which also states the conditions under which physical segregation of inventory is not required. Two exceptions to this rule, i. e., when the material or product can no longer be used for the original purpose, or when the rating or other assistance has been revoked, are explained in paragraphs (a) (1) and (2) of § 944.11.

Disposition or Use of Excess

(c) *In general.* If you have a termination cut-back, or other reduction in your operations, it may be impossible to use the material or product for the purpose for which the priorities assistance was given. In this case, or if the rating or other assistance has been revoked, you may dispose of it as explained in paragraphs (b) (1) and (b) (2) of § 944.11 of PR-1, or you may use it as explained generally in paragraph (b) (3) of that section. These rules are summarized in paragraphs (d) and (e) below.

(d) *Disposition—(1) Special sales.* If you want to sell the excess material or product to someone else, and you acquired or made it for your own use and you do not sell it in the regular course of your business, you should look at Priorities Regulation 13 for the rules governing such "special sales". These include special sales as scrap (other than plant generated scrap). Also, all sales of surplus materials or products by Government agencies are special sales.

(2) *Other sales.* If the sale of the particular material or product, including scrap, is not a special sale, it is permitted as long as you comply with all requirements of CPA orders and regulations which apply to the material or product you are selling. For example, you are usually required to accept rated orders and observe the sequence of preference ratings; and if the material or product may be sold or scrapped only on specific CPA authorization as described in the applicable order or regulation, you must do what the order says.

(e) *Use—Must be in compliance with applicable CPA orders.* If you want to use the excess material or product, you must al-

ways comply with all applicable CPA orders and regulations governing its use, inventory, etc., and you may have to appeal if the intended use is not a permitted use. To find out what orders or regulations are applicable to the particular material or product, it may be helpful to look at the CPA publication, "Products and Priorities," or you can ask your nearest CPA field office.

(2) [Deleted Dec. 11, 1945.]

(3) [Deleted Oct. 1, 1945.]

(4) [Deleted Dec. 11, 1945.]

(f) [Deleted Oct. 1, 1945.]

(g) *Special provision for transfer among war contractors.* If you have a war contract which has been terminated or modified, and another contractor is producing similar products for the same procuring agency, he may be able to receive excess materials (from you, your suppliers, or the procuring agency) in excess of inventory limits. This is permitted when authorized by the procuring agency to the extent described in Direction 1 to Priorities Regulation 32. This direction covers both the inventory exceptions necessary to receive excess materials of this kind, and also the sale or exchange of the materials.

Bringing Inventory Back to Normal

(h) *Inventory limitations.* If the termination or cut-back results in your having a bigger inventory than you need, the mere possession of it is not prohibited as long as the particular material or product was properly acquired. This is explained in Interpretation 5 to Priorities Regulation 32. However, you may not receive further deliveries of the particular material or product held in excess, nor may you fabricate above permitted inventory levels, except as provided in the applicable regulations or orders. The general inventory rules are in Priorities Regulation 32, and specific inventory limits on particular materials or products or relating to particular classes of persons are indicated in Tables 1 and 2 of that regulation. In general, upon any reduction in operations, outstanding orders for the items which constitute an excessive inventory must be promptly adjusted, or, if necessary, cancelled. However, certain further deliveries may be received to the extent permitted by paragraph (h) of Priorities Regulation 32, and special items may be received as permitted by that paragraph and by Direction 3 to that regulation. A limited inventory exception in the case of items bought on special sales is provided in PR-13.

(i) *Cancelling ratings.* In cutting back or cancelling orders as described above you will probably have to cancel your ratings to the extent described in § 944.4a of PR-1. (Issued Dec. 11, 1945.)

INTERPRETATION 15: Revoked August 28, 1945.

INTERPRETATION 16

APPLICABILITY OF PRIORITY RULES TO SUPPLIERS OF COMPLETE PRODUCTS AND PARTS FOR THE COMPLETE PRODUCTS

(a) *Applicability of rules regarding acceptance of orders.* A person who supplies parts for a complete product, as well as the complete product itself, may not accept an order for the complete products calling for delivery on a date which would interfere with delivery of equal or higher rated orders for parts which he has already accepted. In other words, he must comply with the rules in § 944.2 of Priorities Regulation 1 in accepting orders for complete products and orders for parts only. Thus if he gets a rated order for complete products calling for delivery on June 1, 1945, and cannot fill this order without using parts which are required for delivery on an equal or higher rated parts order previously accepted, calling for delivery on June 1, 1945, he may not accept the order for the complete products. In such a case,

he must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date.

(b) [Deleted Oct. 1, 1945.]

(c) [Deleted Oct. 1, 1945.]

(Issued Oct. 1, 1945.)

INTERPRETATION 17: Revoked August 28, 1945.

INTERPRETATION 18

APPLICABILITY OF CERTAIN RESTRICTIONS IN CPA ORDERS TO EXPORTS

The last sentence of § 944.13 (formerly Priorities Regulation 15) does not in any way relax restrictions in limitation or conservation orders in so far as they apply to manufacture within the United States or to the maintenance of inventory within the United States. The only effect of the sentence is to lift such restrictions as may be based upon the size of an inventory maintained in a foreign country or on a use (including use for manufacture) which is to take place in a foreign country.

Of course, no orders of the Civilian Production Administration directly limit the size of inventory or the manner of use of an article in a foreign country. Nevertheless, there are some orders which, in the absence of this provision in § 944.13, might impose such limitations indirectly. Orders which provide that a person may not sell a particular material if he knows or has reason to believe that the purchaser will, upon receipt, have an inventory exceeding some stated amount or use the material for a particular purpose would, in the absence of this provision, prevent certain sales by subjecting sellers to possible liability even though the inventory existed or the use occurred in a foreign country. § 944.13 has the effect of relieving sellers of such liability in the limited situation described.

Furthermore, it is only restrictions which are expressed as based upon size of inventory or manner of use which are affected by this section. Where an order requires administrative action, such as an allocation or an express authorization, that requirement is not waived and must be met before the material can be delivered, acquired or used. (Issued Dec. 11, 1945.)

INTERPRETATION 19

PRESERVATION OF RECORDS AFTER REVOCATION OF APPLICABLE ORDERS

Section 944.15 of Priorities Regulation 1 requires the keeping and preservation for at least two years of certain records relating to transactions under CPA orders and regulations. This requirement does not lapse upon the expiration or revocation of the applicable order or regulation and the two year period must be counted from the date the transaction occurs. The reference in the section to rules, regulations or orders of the Civilian Production Administration includes reference to any regulations or orders of its predecessor, the War Production Board, whether or not they expired or were revoked before the establishment of the Civilian Production Administration. (Issued Jan. 17, 1946.)

DIRECTIONS TO PR 1

The following directions to PR 1 are still in effect (Mar. 18, 1946):

1. Changes made by customers in orders placed with manufacturers.

2. Transfer of title in financing rated orders.

9. Use of ratings or authorizations for machine tools or other facilities when related military procurement programs or contracts are cancelled or cut back.

11. Special rules for placing and scheduling rated orders for steel, copper and aluminum.

12. Use by ship chandlers and other ship suppliers of materials obtained by means of ratings assigned on WPB-646.

13. Emergency suspension of outstanding ratings for iron and steel.

[F. R. Doc. 46-4638; Filed, Mar. 20, 1946; 11:30 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 28, Direction 6, as Amended Mar. 18, 1946¹]

SPECIAL PROVISIONS FOR THE ASSIGNMENT OF CC RATINGS FOR DISTRIBUTION OF TRUCKS

The following amended direction is issued pursuant to PR 28:

(a) *Purpose and limitation of direction.* The purpose of this direction is to restrict the assignment of CC ratings for new trucks to be used in the United States to the limited class of cases mentioned in paragraph (c) below. CC ratings may be assigned for the delivery of new trucks for use in the United States under PR-28 only in such case. This direction does not apply to CC ratings for the export of new trucks which remain subject to the provisions of paragraph (e) of PR-28.

(b) *Definition of truck.* For the purpose of this direction "truck" means any new light, medium or heavy motor truck, truck-tractor or truck chassis therefor, or any chassis on which a bus body is to be mounted and which (1) was designed to be propelled or drawn by mechanical power; (2) was designed for use on or off-the-highway, for transportation of property or persons. This definition includes vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, bus chassis, carry-all suburbans, sedan deliveries and cab pickups, but does not include station wagons, coupes fitted with pickup boxes, ambulances, hearses, taxicabs and integral type busses.

(c) *When CC ratings will be assigned for new trucks.* CC ratings may be assigned to orders calling for the delivery of new trucks only when the applicant clearly shows that a rating is necessary to obtain delivery; that he is engaged or intends to engage in the production of an item which is listed in the Table in Schedule I to Priorities Regulation 28 and that the new truck is essential to maintaining or increasing the production of the item.

(d) *Limitation on use of CC ratings.* CC ratings may be used only to purchase new trucks from a distributor or dealer. Notwithstanding the provisions of PR-3, a distributor or dealer may not extend a CC rating.

(e) *Denials of CC ratings.* Even under the conditions of paragraph (c), CC ratings will be denied where it appears that the new truck for which the CC rating is requested is available, but under different terms of sale or from a supplier other than the applicant's customary supplier.

Issued this 18th day of March 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-4639; Filed, Mar. 20, 1946; 11:31 a. m.]

¹ This document is a restatement of Amendment 1 to Direction 6, Priorities Regulation 28, which appeared in the FEDERAL REGISTER, Mar. 20, 1946 (11 F.R. 2924), and reflects the order in its completed form as of Mar. 18, 1946.

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[SO 131, Amdt. 15]

REVISED MAXIMUM PRICES FOR CERTAIN COTTON TEXTILES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 131 is hereby amended in the following respects:

1. The Band B maximum prices for carded yarns in section 3 (f) are amended to read as follows:

BAND B (Cents per pound)		
Yarn No.	Singles	Plied
6s and under.....	42.50	45.00
8s.....	43.00	45.50
10s.....	43.75	46.50
12s.....	44.75	48.00
14s.....	45.75	49.50
16s.....	47.00	50.75
18s.....	48.00	52.00
20s.....	49.00	53.25
22s.....	50.25	55.00
24s.....	51.50	56.75
26s.....	53.25	59.00
28s.....	54.25	60.50
30s.....	55.50	62.25
32s.....	57.00	63.75
34s.....	58.25	65.50
36s.....	59.25	66.50
38s.....	60.50	67.75
40s.....	61.50	69.25
42s.....	63.25	71.75
44s.....	65.00	73.25
46s.....	66.75	75.00
48s.....	68.50	77.00
50s.....	70.75	79.00

2. The Band B maximum prices in section 3 (g) are amended to read as follows:

BAND B (Cents per pound)		
Yarn No.	Singles	Plied
1s.....	41.25	43.75
2s.....	41.50	44.00
3s.....	41.75	44.25
4s.....	42.00	44.50
5s.....	42.25	44.75

This amendment shall become effective as of March 8, 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4608; Filed, Mar. 19, 1946; 4:33 p. m.]

PART 1305—ADMINISTRATION

[SO 142, Amdt. 2]

ADJUSTMENT PROVISIONS FOR SALES OF INDUSTRIAL MACHINERY AND EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

¹ 10 F.R. 11296, 11890, 12116, 13268, 13269, 13812, 14504, 14657, 14779, 15004, 15383; 11 F.R. 532.

Supplementary Order 142 is amended in the following respects:

1. Section 1 is amended by revising the parenthetical exception in the first paragraph to read as follows: "(Except automotive trucks, motorcycles and buses)."

2. Section 1 is further amended by adding to the first paragraph the following: "Maximum Price Regulation 452 (Manufacturers' Maximum Prices for Automotive Parts)."

3. Section 2 (a) is amended to read as follows:

(a) *Qualifications.* Adjustments will be given under the provisions of this section only with respect to the products which are covered by one or more of the regulations listed in section 1.

4. The first paragraph of section 2 (b) is amended to read as follows:

(b) *How adjustments will be computed.* In general, the OPA will treat adjustments in three different categories. The first category is called the "overall adjustments." This will ordinarily apply where the applicant submits his application for adjustment in the maximum prices of all his products which are governed by any of the regulations listed in section 1.

5. Section 2 (d) is amended to read as follows:

(d) *Resellers.* (1) *Maximum prices for products covered by Maximum Price Regulation 453.* With respect to maximum prices for sales by resellers under Maximum Price Regulation 453 which are manufacturers' suggested resale list prices, manufacturers shall adjust such resale list prices when their maximum prices on which the resale list prices are based are adjusted by order issued under this section. The adjustment shall be made by multiplying the previously established suggested resale list prices by a percentage to be determined by dividing the manufacturer's applicable adjusted maximum price by his maximum price prior to the adjustment.

In the case of maximum prices for non-list sales by resellers under Maximum Price Regulation 453, manufacturers shall notify resellers of the dollar-and-cents amounts of adjustments in their (the manufacturers') maximum non-list prices. Resellers shall determine adjusted maximum non-list prices in accordance with section 7 of Maximum Price Regulation 453.

(2) *Maximum prices for products covered by Maximum Price Regulations 246 and 67.* Resellers of products which are covered by Maximum Price Regulation 246 or Maximum Price Regulation 67, and for which the maximum prices for sales by the manufacturer have been adjusted under this section, shall continue to compute their maximum prices for resale of such products under the applicable provisions of those regulations in the same manner that they would have computed maximum prices if the adjustment had been made under the provisions of those regulations.

You should use this form only if you are applying on the basis of (1) or (2) below

Basis of adjustment	Extent of price adjustment which will be allowed (if any)	Application form to use—	
		Where recent normal operating experience	Where no recent normal operating experience
1 Over-all profit and loss statement.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) plus a normal profit margin. An "increase factor" will be determined to apply to all the products of the company which are covered by the above regulations.	Use application Form I (OPA Form No. 6083-2646).	
2 Profit and loss statement for a division (or plant) of the company for which separate accounting records are kept.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense). An "increase factor" will be determined to apply to all the products of the division (or plant) which are covered by the above regulations.	Use application Form I (OPA Form No. 6083-2646).	
3 Unit cost data for representative items of a line (or group) of products.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) for the representative items taken as a whole. The computed "increase factor" will be made to apply to all the items of the line, or group of products.	Use application Form IIB (OPA Form 6083-2646). (These forms may be used only if you maintain unit costs which can be supported by your records)	
4 Unit cost data for individual items.	Prices will be increased sufficiently to cover allowable total manufacturing costs for each item. New prices are computed by the applicant to become effective 30 days after OPA acknowledges the docketing of the application (unless notification to contrary is given by OPA).	Use application Form IIB (OPA Form 6083-2646). (These forms may be used only if you maintain unit costs which can be supported by your records)	

Have you received any price adjustments since the base date? If "Yes," list on a separate sheet the OPA Yes ☐ No ☐ docket number(s) of the application(s).

Requested price increase: (show here, or on separate sheet, requested increase(s))

SCHEDULE I—SALES BREAKDOWN

Fill in the following schedule relating to the breakdown of sales for your entire company

Major groups of products sold	A Fiscal year ended nearest December 31, 1941		B Fiscal year ended nearest December 31, 1944		Anticipated sales for next year
	(1)	(2)	(3)	(4)	
1 Groups for which relief is requested					
a					
b					
c					
d					
e					
2 Groups—no relief requested					
a					
b War work (not regular lines)					
3 Total of all products sold					

FOOTNOTES FOR SCHEDULE I

A If you do not consider the year ended nearest December 31, 1941, as one of normal pre-war production, submit regular data on a separate sheet for the fiscal year ended nearest December 31, 1940.
B This period should cover at least three months.

acknowledge, in writing, the docketing of such applications (either in the Regional Office or in the National Office in Washington, D. C.). If the OPA fails to act upon the application within twenty (20) days after the date of docketing of the application, the new proposed maximum price, computed in the manner prescribed by this section, shall then be deemed to be approved. The act of OPA within the meaning of this paragraph shall consist of: (1) An order of denial, or (2) a letter or telegram addressed to the applicant at the address stated in his application either requesting additional information or stating that the applicant's computations appear to be incorrect or requesting a review of the applicant's books of account. If OPA later determines that these adjusted maximum prices have not been properly computed, it may disapprove such prices at any time. Notice of such disapproval shall be in the form of a letter sent to the applicant at the address stated in his application, but such disapproval shall not be effective as to any deliveries made prior to the date thereof.

7. Appendix A is amended by substituting the following forms for the forms therein contained:

Name of Firm	
Address of firm—number and street	
City, postal zone number, State	
Telephone number	Date
Total sales of company for last full fiscal year \$..... 194.....	
If less than \$500,000 (\$300,000 for MPR 246) file two copies of application with your Regional OPA Office. Otherwise file with Machinery Branch, Office of Price Administration, Washington 25, D. C.	

OPA Form 6083-2644 Form approved Budget Bureau No. (68-R1599) (1-46)

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UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES UNDER SUPPLEMENTARY ORDER NO. 142

APPLICATION FORM I

(For use in applying for price adjustment on an overall company, or division of the company, basis)

GENERAL INSTRUCTIONS FOR FILING APPLICATION UNDER SUPPLEMENTARY ORDER NO. 142

Supplementary Order No. 142 provides a procedure by which manufacturers of products covered by the following regulations may apply for adjustment in the prices of such products:

Revised Maximum Price Regulation 136—Machines, Parts and Industrial Equipment (except automotive trucks, motorcycles, buses, and house and truck trailers).
Maximum Price Regulation 67—New Machine Tools.
Maximum Price Regulation 82—Wire and Cable.
Maximum Price Regulation 246—Manufacturers' and Wholesale Prices of Farm Equipment.
Maximum Price Regulation 351—Ferroalloys.
Maximum Price Regulation 521—Industrial Services.

Your application for price adjustment under Supplementary Order No. 142 may be made on any one of four bases described in the table below. In each case the data which you must submit is dependent on whether or not you have had recent normal operating experience. The table indicates which one of three application forms should be used in each situation.

(3) Maximum prices for products covered by the other regulations listed in section 1. Unless the adjustment order issued to the manufacturer shall specify a different method of determining maximum prices for sales by resellers, maximum prices for sales by resellers, maximum prices (other than those covered by MPR 67, MPR 246 and MPR 453), for which an increase in the maximum price has been approved for a manufacturer by an order issued under the provisions of this section shall be the maximum net price that the reseller had in effect to a purchaser of the same class just prior to the issuance of this order, plus the amount, in dollars and cents, by which the order authorizing the new maximum price has increased his former net invoiced cost. In such cases, the manufacturer shall notify each of his resellers of the dollars and cents amounts by which this order permits the resellers to increase their maximum prices.

6. Section 2 is amended by adding the following paragraph (h):

(h) Automatic pricing. This paragraph applies to applications for adjustment on the individual item adjustment basis (Form OPA 6083-2646). OPA will

SCHEDULE II—BASIC FINANCIAL INFORMATION

Fill in the following information for either the entire company or for a division (or plant) of the company for which separate accounting records are maintained, (depending on whether you have filed on the basis of (1) or (2) under General Instructions above). Read carefully footnote "F" below before filling in forms.

Check one: <input type="checkbox"/> Financial statement for entire company or <input type="checkbox"/> for _____ division		^A Fiscal year ended nearest December 31, 1941 (1)	Last full fiscal year ended nearest 194____ (2)	^B Recent period _____ months ended 194____ (3)
1	a Net sales			
	b Cost of goods sold			
	i Direct materials used			
	ii Direct labor (excluding overtime premium) ^C			
	iii Indirect labor ^D		X X X	X X X
	iv Indirect materials and supplies ^D		X X X	X X X
	v Other indirect manufacturing expense (including overtime premium) ^D		X X X	X X X
	vi Total other manufacturing expense (iii+iv+v) ^D			
	vii Net change in inventories (in process and finished)			
	viii Total cost of goods sold			
	c Gross profits			
	d General, administrative and selling expense ^E			
	e Net operating profit			
	f Other income and deductions (net)			
	g Net profit before taxes (income)			
2	Additional information required for entire company if (1) was filled out for division			
	a Net sales			
	b Direct materials			
	c Direct labor			
	d Total manufacturing expense			
	e General, administrative and selling expense			
3	Additional information required if (1) was filled out for entire company			
	a If not previously filed, submit balance sheet and profit and loss statements on OPA Form 403-50 Base Period Financial Report, or on your own prepared statements for the years 1936-1940. If your own prepared statements are presented the profit and loss statement should contain as a minimum the following items: net sales, cost of goods, net operating profit, and net profit before taxes.			
	b If not previously filed, submit your balance sheet as of the end of the fiscal year ended nearest December 31, 1945, on OPA Financial Reporting Form A or your own prepared statement.			

FOOTNOTES FOR SCHEDULE II

^A If you do not consider the year ended nearest December 31, 1941 as one of normal pre-war production, explain why and submit similar data for the year ended nearest December 31, 1940. Also give the weighted average percentage increase in price from July 1, 1940 to October 1, 1941 and show how this percentage was arrived at.

^B This period should be at least three months in length.

^C If the content of "direct labor" for the recent period differed in any important respects from its content for the fiscal year ended nearest December 31, 1941 because of a change in accounting procedure, explain fully on a separate sheet. (This need not be done if you are using the "Projected Basis" as described below.)

^D If you are applying on the "Current Basis" as described below you may omit breakdown of "total other manufacturing expense" and fill in Line b (vi) only—omitting Lines b (iii), (iv), and (v).

^E If the content of "General, Administrative and Selling" expense for the recent period differed in any important respects from its contents for the fiscal year ended nearest December 31, 1941 because of a change in accounting procedure, explain fully on a separate sheet. (This need not be done if you are using the "Projected Basis" as described below.)

^F If you have granted any wage increases other than recognized increases as set forth below, list on a separate sheet such "unapproved" wage increases, the date on which granted, the extent of the increases, and the dollar amount by which direct labor for a recent three-month period should be reduced so as to reflect its cost without the "unapproved" increases, and show how this dollar amount was computed. The recognized increases include: (1) approved by the appropriate wage and salary stabilization agency under Executive Orders 9599 and 9651; (2) increases lawfully made or approved by the appropriate wage stabilization agency before August 18, 1945; and (3) increases made after August 18, 1945, under WLB General Order 30, relating to increases up to 55¢ per hour. If you have granted only recognized increases, a statement to this effect should be made in your application.

SCHEDULE IIA—DISCOUNTS

Fill in the following schedule for the company or accounting division (used in Schedule II) to show sales to different classes of purchasers. If the proportions are approximately the same for all major product groups in the company (or accounting division) fill in only Column 1. If they vary, fill in the other columns, one for each major product group or line. If your records prevent your presenting the information in this form submit the "Value of Materials Used" sheet for the year 1941 if you are filing on a "Projected Basis." If on a "Current Basis," the data should be submitted for the year 1941 if you are filing on a "Projected Basis." If sales to different classes of purchasers for this period are not representative of anticipated sales for the coming year, you may submit supplementary information on a separate sheet.

	(1) Company or accounting division		(2) Major product group (Identify).....		(3) Major product group (Identify).....	
	Gross sales	Average % discount	Gross sales	Average % discount	Gross sales	Average % discount
1 Sales to final users						
2 Sales to dealers						
3 Sales to jobbers						
4 Sales to others						
5 Sales to others						
6 Total sales						

Do you price any products covered by this application on a formula basis? Yes ☐ No ☐

IMPORTANT

Schedules I, II, and III above must be filled in completely by all applicants. If you have had recent normal operating experience as defined below you need not submit the information requested in Schedules III, and IV, or V. If you have not had recent normal operating experience as defined below complete the rest of form.

If your company has available recorded data which accurately reflect normal operating experience, use is made of such data in determining any allowable price increases. This is referred to as the "Current Basis." If no such data are available, use is made of pre-war data projected to reflect certain basic changes which have occurred since that time (referred to as "Projected Basis"). To assist OPA in determining which basis to use in your case, check the answers to the following questions:

1	Do you have available for the company or accounting division (used in Schedule II) a recent profit and loss statement of at least three months duration which reflects annual operating experience?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Were "Net Sales" in this statement at an annual rate in excess of 75% of "Net Sales" for the fiscal year ended nearest December 31, 1941? (See Schedule II.)	Yes <input type="checkbox"/> No <input type="checkbox"/>
3	Were "Net Sales" in this statement at an annual rate in excess of 75% of "Net Sales" for the three immediately preceding years? (Show here net sales for this previous three-months period \$.....)	Yes <input type="checkbox"/> No <input type="checkbox"/>
4	Were sales of major products by the company or accounting division used in Schedule II for the "recent" period (Column 3, Schedule I) in approximately the same proportions as you expect for the coming year? (Note: If answer is "Yes," and the expected proportion of sales to different classes of purchasers for this period varied considerably from the proportions of 1941, explain fully on a separate sheet why these changed proportions are expected to continue.)	Yes <input type="checkbox"/> No <input type="checkbox"/>
5	Were sales made to different classes of purchasers by the company or accounting division (used in Schedule II) in the "recent period" in approximately the same proportions as you expect for the coming year? (Note: If answer is "Yes," and the expected proportion of sales to different classes of purchasers for this period varied considerably from the proportions of 1941, explain fully on a separate sheet why these changed proportions are expected to continue.)	Yes <input type="checkbox"/> No <input type="checkbox"/>
6	Do your costs of production in the "recent accounting period" accurately reflect methods of production which you plan to use in the next year? Answer "No" for instance, if the amount of subcontracted work was higher than is anticipated for next year, or if inefficient methods necessitated by war conditions were still being reflected in costs of production for the recent period.	Yes <input type="checkbox"/> No <input type="checkbox"/>

If you have answered "No" to any of the above questions, proceed with Schedules III, and IV or V. If you have answered "Yes" to all questions you need not proceed beyond this point. In case of doubt, it will be best to fill in Schedules III, and IV or V.

SCHEDULE III—CHANGES IN PRICES OF DIRECT MATERIAL AND PURCHASED PARTS

The purpose of this Schedule is to determine a weighted average percentage increase from October 1, 1941, to November 27, 1945 in the prices paid for direct material and parts as purchased by you in the same quantity, from the same sources, and under the same general terms of sale, for manufacture into the products produced by the company (or accounting division) whose operations are described in Schedule II. In determining the "Value of Materials Used" in Column (1) of this Schedule proceed as follows:

1. If a wide variety of products are produced, use the first available of the following which can be determined accurately:

(a) The value of the materials actually used during the pre-war period of Column (1) in Schedule II.

(b) The value of the materials purchased during the pre-war period.

(c) An estimate of the materials used during the pre-war period.

2. If a comparatively small number of similar products are produced:

(a) Select a representative product which uses the principal materials in amounts bearing a reasonable relation to the totals for the entire company (or division) and determine the "Value of Materials Used" from a bill of materials for this product.

(b) If no one product fills the requirements of 2(a) you may select and add together the bills of materials of several products.

NOTE: If (2) is used, give name of product on which materials increase was based and indicate the volume of sales of that product in the pre-war period used in Schedule II.

	A Description of materials, parts, and subassemblies used directly	B Value of materials used	C Net purchase price per unit		D Percent increase column 3—column 2 divided by column 2	E Name of principal supplier
			c October 1, 1941	d November 27, 1945		
1		(1)	(2)	(3)	(4)	(5)
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19 All other ^F			X X X X	X X X X		X X X X
20 Total			X X X X	X X X X		X X X X

FOOTNOTES FOR SCHEDULE III

A "Description of Material" may refer either to individual items or to groups of items where a wide variety of such items are purchased. In the case of individual items the "Description of Materials" should be specific and complete for each item setting forth the name of the material, form, size, etc., for raw materials, and the name and supplier's designation for component parts and subassemblies. Where a wide variety of items is referred to, give the group designation of products under the "Description" and show average prices in Columns (2) and (3). If such averages have significance. Otherwise make entries only in Columns (1) and (4). Wherever practical, the first method should be used. The grouping of items and averaging may be used only where the prices of the materials involved have not changed or changed only slightly, or constitute a homogeneous group such as gray iron castings (not all castings) or hot-rolled steel bars (not all steel).

^F See introductory statement, above.

SCHEDULE IV—CHANGES IN BASIC WAGE RATES (ANALYSIS OF WAGE ACTIONS)

This method should be used wherever possible. If you had established job classifications on October 1, 1941, you should be able to fill in A below completely. If no such job classifications were in effect on October 1, 1941, fill out the schedule for the period from October 2, 1941, to November 27, 1945, and data obtained from B will be used to measure the change from October 1, 1941, to October 2, 1942. B should be filled in completely in either case.

A Individual wage actions

Department, occupation or job classifications affected ^a	Date of adjustment	Adjustment ^b (cents per hour or percent)	Average straight-time hourly earnings before adjustment (omit if column 3 is completed in cents)	Percent in column 3 x amount in column 4 ^d	Percent of total workers in division receiving increase ^e	Amount in column 3 or column 6 x percent in column 5	WLB authority ^f
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
Total							

B

Computation of average straight-time hourly rate							November 27, 1945	
Payroll period (used the last period prior to the three dates shown in vertical columns)							From	To
1			From	To	From	To		
2	Total hours worked for factory employees during period.		hrs.		hrs.			hrs.
3	Total earnings at straight time rates ^g		\$		\$			\$
4	Average straight-time hourly earnings (Line 3 ÷ Line 2).		\$		\$			\$

FOOTNOTES FOR SCHEDULE IV

^a An entry should be made for each separate occasion of a wage increase among the factory employees for the organization unit of the business reported in Schedule II. The change might involve only one job, or might include several job classifications, or even the whole of a department or plant. See NOTE above, under Introduction to Schedule IV and V.

^b If an entry in this Column covers more than one job classification, rate or rate range receiving non-uniform increases, the amount reported should represent the weighted average of all the increases. The weighted average may be determined by multiplying the amount of each separate increase by the number of employees receiving the increase, and then dividing the total by the total number of employees. ^c Fill in this Column only in case the increase in Column (3) is stated in percent. Select a payroll period immediately preceding the date of the adjustment and determine the average hourly earnings during that period for the group of employees receiving the increase.

^d This operation is for the purpose of converting any increases expressed in percentage in Column 2 into cents per hour.

^e Compute the percentage of workers affected by dividing the number of employees to which the rate change applies by the total number of factory employees on the payroll at the time the change was effected.

^f For each adjustment since October 2, 1942, the WLB Office approving such adjustment and the order number and date must be listed for each adjustment requiring specific WLB approval. For other adjustments, such as those made under WLB General Orders, indicate the type of authorization.

^g Total earnings of employees at straight-time rates means earnings (1) before deductions for social security, withholding taxes, insurance, hospitalization dues, etc., (2) inclusive of regularly recurring bonus payments, such as production bonuses, and (3) exclusive of extra payments for overtime, and bonus payments that are not a part of regular earnings.

^c Show the October 1941 price paid per unit of material or part. This should be the price recorded on the earliest dated invoice in October 1941 representing a formalized purchase from your principal customary supplier. If you have no invoice dated in October 1941, use the last preceding invoice dated earlier than October 1941.

^d Report price as November 27, 1945, if current price is in excess of the November 27, 1945 price, report such an increase on a separate sheet, but recognition of such increase in the schedule is not required.

^e The October 1941 price should be the price of the material or part sold by the 1941 supplier in the same quantity and under the same general terms of sale for which the October 1941 price shown in Column (2) was reported. The price should be the price of the material, where this has occurred the October 1941 price was reported. Only where November 17, 1945 prices definitely cannot be determined may current ceiling prices be reported under the same conditions (stated above) as apply to the November 27, 1945 price. Indicate these current ceiling prices with an asterisk (*) and the date for which reported. OPA will make the necessary adjustment (if any).

^f See Footnote D immediately above. Place a check mark (✓) opposite the name if it is not the base date supplier.

^g "All Other" if possible, should not account for more than 25% of the total. Give an estimate of the percentage increase in the column provided for this purpose.

SCHEDULE IIIA—CHANGES IN PRICES OF INDIRECT MATERIALS AND SUPPLIES

Give estimate of average increase in legal prices of indirect materials and supplies,%. If estimated increase is more than 12% fill out schedule similar to Schedule III for indirect materials and supplies.

INTRODUCTION TO SCHEDULE IV AND V—CHANGES IN BASIC WAGE RATES

Fill in either Schedule IV or Schedule V. Schedule IV, however, should be used wherever possible. The use of Schedule V is limited to certain special conditions set forth below under the general instructions preceding the table of employees from October 1, 1941, to November 27, 1945. This table is used to measure increases in basic wage rates of factory employees from the mid-point of the old rate to the mid-point of the new rate for a division or job classification, as distinguished from increases affecting single employees. If Schedule II is filled out for a division or job classification, the "factory employees" refers to all workers included in "direct labor" (Line 1 (b) (ii)). If Schedule II is filled out for a "factory employee," "factory employees" includes "direct labor" as well as "indirect labor." Ordinary, this should include, in addition to productive workers, the maintenance, supervisory and other indirect workers. Sales and administrative employees should not be included. The OPA will recognize any increases in wages or salaries approved by the appropriate stabilization agency on or before November 27, 1945.

NOTE: Report any increases since that time, but the recognition of such increases in the computation of adjusted cost shall be subject to the provisions of Executive Orders 9599, 9651, such directives as are issued thereunder by the Stabilization Director, and the applicable standards of OPA.

The following lists of recognized increases show types of increases which may be included and those which may not be included.

Types of increases which may be included

1. A plant-wide or any other general increase affecting a considerable portion of the positions in the plant which provides (a) a uniform change in cents per hour or per piece, (b) a uniform percentage change for all jobs covered by the action, or (c) a systematic list of differential increases among jobs.
2. Increases in cents per hour, or percent, to one or more job classification rates, rate changes, piece rates or incentive wage rates.
3. Changes in the structure of incentive plans which affect the amount that can be earned for the same quantity and quality of work as represented by the average worker affected as of the date the changes were made.
4. An action in which the War Labor Board awards have provided for internal readjustment of wage rates amounting to a specified average increase.
5. Increases to equalize job rates for women, or for other groups of persons with rates for work of equal quantity or quality already paid generally, but in no case shall the weight given such a change, exceed the proportion of the plant's employees in those groups previously paid at lower rates on the payroll period covering most of October 1-15, 1941.

Types of increases which will not be included

1. In-grade promotions or any change in wage for the individual as distinguished from a change in the rate for the job.
2. Changes in vacation policies, non-production bonuses, or pay for overtime.
3. Increases granted automatically for length of service at stated intervals or after given periods.
4. Increases in earnings because of greater worker productivity under an incentive plan.
5. Changes in piece rates resulting from drastic changes in products, unless there has been a specific bargaining agreement to increase earnings during the process of revision.
6. Higher shift differentials except for plants which have multiple shifts in the major part of the plant's operations in 1941.

FEDERAL REGISTER, Thursday, March 21, 1946

SCHEDULE V—CHANGES IN BASIC WAGE RATES (ANALYSIS OF OCCUPATIONAL WAGE RATES)

This alternative may be used only if the following conditions make it impossible to use Schedule IV:
 (a) A continuous history of wage rate increases is lacking because of an extended company (or plant) shutdown after October 1941.
 (b) The proportion of workers in the job classification receiving wage increases to total company (or division) employment varied substantially (except where uniform wage increases were granted to the job classifications affected).
 If this Schedule is used instead of Schedule IV, indicate fully why Schedule IV could not be used.

Occupation or job classification A (Welder, Class B Assembler, etc.)	Num- ber of em- ployees October 1941 ^B	Wage rate October 1, 1941			Column 2 X column 5	Straight-time hourly wage rate November 27, 1945			Column 2 X column 9
		Rate range ^C		Specific rate or mid-point of rate range ^D		Rate range ^C		Specific rate or mid-point of rate range ^D	
		Mini- mum rate	Maxi- mum rate			Mini- mum rate	Maxi- mum rate		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15	Total								

FOOTNOTES FOR SCHEDULE V

- A List the most important occupation or job classification of factory employees on payroll during last period prior to October 1, 1941, for the organizational unit reported in Schedule II. Account for at least 75% of the total employees.
 B Give number of employees in each occupation or job classification for this same period.
 C If there existed an established range of rates for the job during the period specified, list the minimum and maximum straight-time rates in the appropriate columns. Also see Note above, under Introduction to Schedule IV and V.
 D If entries were made in the two previous columns, enter here the mid-point between these maximum and minimum rates. Otherwise enter the specific straight-time rate applicable to the job for the period specified.

I hereby certify that the facts submitted in this application are true and correct.

Sign here.....
 (Signature of officer) (Title) (Date)

OPA Form 6083-2645 Form Approved
 (1-46) Budget Bureau No. 08-R1560

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UNITED STATES OF AMERICA
 OFFICE OF PRICE ADMINISTRATION
 WASHINGTON 25, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES
 UNDER SUPPLEMENTARY ORDER NO. 142

APPLICATION FORM IIA

(For use in applying for price adjustment of individual
 items or lines of products on basis of unit cost data re-
 flecting normal operating experience.)

Name of firm

Address—number and street

City, postal zone number, State

Phone number

Date

Total sales of
 company for last
 full fiscal year \$.....

For
 year
 ended..... 194....

If less than \$500,000 (\$300,000 for MPR 246) file two
 copies of application with your Regional OPA Office.
 Otherwise file with Machinery Branch, Office of Price
 Administration, Washington 25, D. C.

GENERAL INSTRUCTIONS FOR FILING APPLICATION UNDER SUPPLEMENTARY ORDER NO. 142

Supplementary Order No. 142 provides a procedure by which manufacturers of products covered by the following
 regulations may apply for adjustment in the prices of such products:
 Revised Maximum Price Regulation 136—Machines, Parts and Industrial Equipment (except automotive trucks,
 motorcycles, buses, and house and truck trailers).

Maximum Price Regulation 67—New Machine Tools.

Maximum Price Regulation 82—Wire and Cable.

Maximum Price Regulation 246—Manufacturers' and Wholesale Prices of Farm Equipment.

Maximum Price Regulation 351—Ferrous Forgings.

Maximum Price Regulation 523—Plastic Products.

Maximum Price Regulation 581—Industrial Services.

Your application for price adjustment under Supplementary Order No. 142 may be made on any one of four bases
 described in the table below. In each case the data which you must submit is dependent on whether or not you
 have had recent normal operating experience. The table indicates which one of three application forms should be
 used in each situation.

Basis of adjustment	Extent of price adjustment which will be allowed (if any)	Application form to use	
		Where recent normal operating experience	Where no recent normal operating experience
1 Over-all profit and loss statement.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) plus a normal profit margin. An "increase factor" will be determined to apply to all the products of the company which are covered by the above regulations.	Use application Form I (OPA Form No. 6083-2644)	
2 Profit and loss statement for a division (or plant) of the company for which separate accounting records are kept.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense). An "increase factor" will be determined to apply to all the products of the Division (or plant) which are covered by the above regulations.		
3 Unit cost data for representative items of a line (or group) of products.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) for the representative items taken as a whole. The computed "increase factor" will be made to apply to all the items of the line, or group of products.	Use Application Form IIA (OPA Form 6083-2645).	Use Application Form IIB (OPA Form 6083-2646).
4 Unit cost data for individual items.	Prices will be increased sufficiently to cover allowable total manufacturing costs for each item. New prices are computed by the applicant to become effective 20 days after OPA acknowledges the docketing of the application (unless notification to the contrary is given by OPA).	(These forms may be used only if you maintain unit costs which can be supported by your records).	

WHEN THIS FORM IIA IS TO BE USED

You may use this form if you are applying on the basis of either (3) or (4) above, maintain unit costs which can be supported by your records, and if you have available current cost data reflecting normal cost experience for the items, or line of products, for which price adjustment is desired. You are considered to have had normal operating experience for an item if all the following conditions are met: (a) sales for the last three months were at an annual rate in excess of 75% of sales for the year 1941, (b) sales for the last three months were in excess of 75% of sales for the immediately preceding three months' period, and (c) current costs reflect methods of production such as will be in use for the coming period. (You do not meet this test, for instance, if current costs reflect an abnormal amount of subcontracting work, or if the use of inefficient methods of production necessitated by war conditions, have not been eliminated.) To indicate your position in these respects fill in Schedule I below. The percentage comparisons are indicated in Lines (4) and (5) of Schedule I.

SCHEDULE I—SALES INFORMATION

In the following schedule allow one column to an item. If application is being made for a line (or group) of products, select representative items which accurately reflect the average cost-price relationship of the line or group (generally, the fastest selling items) and fill in the requested information for these items, including the two "Total Columns." The items selected should account for at least 25% of total sales of the line or group in 1941, but you need not submit data for more than eight items if these are truly representative. If you are not able to select a representative sample of items for the line, all of which meet the tests for recent normal operating experience (lines 4 and 5 below), obtain copy of Application Form IIB and fill out for other representative items which do not meet the tests for normal operating experience.

		Identify each item in the spaces below (Name, catalog number, etc.)				Total of columns 1, 2, 3, and 4	Total sales of entire line
		(1)	(2)	(3)	(4)		
1	Sales—last 3 months×4 ^A						
2	Sales—3 previous months×4						
3	Sales—year ended December 31, 1941						
4	Line 1 line 2						
5	Line 1÷line 3						

^A If your sales of these items are seasonal so that sales for the period are not truly representative, you may submit additional data to demonstrate that sales of the items are actually at a rate in excess of 75% of normal sales for the year 1941.

FEDERAL REGISTER, Thursday, March 21, 1946

PART A—COMPUTATION OF NEW MAXIMUM PRICES FOR INDIVIDUAL ITEMS

SCHEDULE II—COMPUTATION OF AVERAGE DISCOUNT

The purpose of this schedule is to determine for the last three months' period the average discounts from list (or gross) prices for each item listed in Schedule I, when such items were sold to more than one class of purchaser. If sales to different classes of purchasers for this period are not representative of anticipated sales for the coming year, you may submit supplementary information relating to this for consideration by OPA.

		Columns refer to corresponding columns of Schedule I							
		(1)		(2)		(3)		(4)	
		Gross sales	Percent discount	Gross sales	Percent discount	Gross sales	Percent discount	Gross sales	Percent discount
1	Sales to final users								
2	Sales to dealers								
3	Sales to jobbers								
4	Sales to others								
5	Total sales—average discount		%		%		%		%

SCHEDULE III—COMPUTATION OF NEW MAXIMUM PRICES

Fill in the following information for each item listed in Schedule I

		Columns refer to corresponding columns of Schedule I			
		(1)	(2)	(3)	(4)
1	List (or gross) price on base date in regulation				
2	a Current maximum list (or gross) price				
	b Requested maximum list (or gross) price				
3	Unit cost on base date of regulation				
	a Direct materials				
	b Direct labor (excluding overtime premiums)				
	c Factory overhead (including overtime premiums)				
	d Total factory cost (3a+3b+3c)				
	e Line 3c÷(Line 3a+line 3b)				
4	Allowable current factory costs				
	a Direct materials				
	b Direct labor ^A (excluding overtime premiums and unapproved wage increases) ^B				
	c Actual factory overhead (including overtime) ^C				
	d Computed factory overhead (line 4a+line 4b)×line 3e				
	e Total allowable factory cost (4a+4b+smaller of 4c or 4d)				
5	Computed new list price [line 4e÷(100% minus percent figure of line 5) of Schedule II] ^D				

FOOTNOTES FOR SCHEDULE III

^A If the current content of "direct labor" differs in any important respects from its content on the base date, make adjustments needed to express current and base date "direct labor" and "factory overhead" on the same basis and explain fully on a separate sheet.

^B If you have granted any wage increases other than recognized increases as set forth below, list on a separate sheet such "unapproved" wage increases, the date on which granted, the extent of the increases, and the amount by which direct labor should be reduced so as to reflect its cost without the "unapproved" increases, and show how this amount was computed. The recognized increases include:

(1) wage increases approved by the appropriate wage and salary stabilization agency under Executive Orders 9599 and 9651,

(2) increases lawfully made or approved by the appropriate wage stabilization agency before August 18, 1945, and, (3) increases made after August 18, 1945, under WLB General Order 30 relating to increases up to 55 cents per hour.

If you have granted only recognized increases, a statement to this effect should be made in your application.

^C If the current method of allocating "factory overhead" is different in any important respects from the method used on the base date, make adjustments needed to express current and base date factory overhead on the same basis, and explain fully on a separate sheet.

^D If application is for a line of products do not fill in this line.

NOTE.—If cost data in Part A above are for representative items of a line (or group) or products, fill in Part B below. If cost data in Part A are for individual items, you need not fill in Part B.

PART B—NEW MAXIMUM PRICES FOR A LINE (OR GROUP) OF PRODUCTS

SCHEDULE IV—ADDITIONAL DATA REQUIRED

If application is being made for "representative items" of a line, or group, of products, fill in the following schedule. In this case, OPA will determine the amount of price adjustment, if any, and notify you accordingly.

1 Selling, general and administrative expense for representative items (columns refer to corresponding columns of Schedule I).		(1)		(2)		(3)		(4)	
Base date	Current	Base date	Current	Base date	Current	Base date	Current	Base date	Current
2 Sales and expense data for division of company producing representative items				For period including base date (at least 3 months in length).				For recent period (at least 3 months in length).	
a Total net sales of division for period shown.									
b Total selling, general and administrative expense for division.									

NOTE: If any expenditures classified as selling, general or administrative expense on the base date are now classified as factory overhead, or vice versa, explain fully.

I certify that the facts submitted in this application are true and correct.

Sign here.....
(Signature of officer)

OPA form 6083-2646 (1-46)		Form approved Budget Bureau No. 08-B1562		Title..... Date.....	
This form or any of its schedules may be reproduced without change		Name of firm		Address—number and street	
UNITED STATES OF AMERICA OFFICE OF PRICE ADMINISTRATION WASHINGTON 25, D. C.		City, postal zone number, state		Phone number	
APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES UNDER SUPPLEMENTARY ORDER NO. 142		For year ended.....		Date	
APPLICATION FORM IIB		Total sales of company for last full fiscal year \$.....		194.....	
(For use in applying for price adjustment of individual items or lines of products on basis of unit cost data when company has had no recent normal operating experience)		If less than \$200,000 (\$200,000 for MPR 246) file two copies of application with your Regional OPA Office. Otherwise file with Machinery Branch, Office of Price Administration, Washington 25, D. C.			

GENERAL INSTRUCTIONS FOR FILING APPLICATION UNDER SUPPLEMENTARY ORDER NO. 142

Supplementary Order No. 142 provides a procedure by which manufacturers of products covered by the following regulations may apply for adjustment in the prices of such products:

Revised Maximum Price Regulation 130—Machines, Parts and Industrial Equipment (except automotive trucks, motorcycles, buses, and house and truck trailers).
Maximum Price Regulation 67—New Machine Tools.
Maximum Price Regulation 82—Wire and Cable.
Maximum Price Regulation 246—Manufacturers' and Wholesale Prices of Farm Equipment.
Maximum Price Regulation 351—Ferrous Forgings.
Maximum Price Regulation 329—Plastic Products.
Maximum Price Regulation 581—Industrial Services.

Your application for price adjustment under Supplementary Order No. 142 may be made on any one of four bases described in the table below. In each case the data which you must submit is dependent on whether or not you have had recent normal operating experiences. The table indicates which one of three application forms should be used in each situation.

Basis of adjustment	Extent of price adjustment which will be allowed (if any)	Application form to use
1 Over-all profit and loss statement.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) plus a normal profit margin. An "increase factor" will be determined to apply to all products of the company which are covered by the above regulation.	Where recent normal operating experience
2 Profit and loss statement for a division (or plant) of the company for which separate accounting records are kept.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense). An "increase factor" will be determined to apply to all the products of the division (or plant) which are covered by the above regulations.	Use application Form I (OPA Form No. 6083-2644)
3 Unit cost data for representative items of a line (or group) of products.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) for the representative items taken as a whole. The computed "increase factor" will be made to apply to all the items of the line, or group of products.	Use Application Form IIB (OPA Form 6083-2646)
4 Unit cost data for individual items.	Prices will be increased sufficiently to cover allowable total manufacturing costs for each item. New prices are computed by the applicant to become effective 20 days after OPA acknowledges the docketing of the application (unless notification to the contrary is given by OPA).	(These forms may be used only if you maintain unit costs which can be supported by your records)

WHEN THIS FORM IS TO BE USED

You should use this form if you are applying on the basis of either (3) or (4) above, maintain unit costs which can be supported by your records, but have no recent normal operating cost data reflecting normal cost experience for the items or line of products for which price adjustment is desired. You may use the last three months were at an annual rate less than 75% of sales for the year 1941, (b) sales for the last three months were less than 75% of sales for the immediately preceding three-month period, and (c) current costs reflect abnormalities which will not exist in the coming year (such as an abnormal amount of subcontracting work, or the use of inefficient methods of production, necessitated by war conditions which have not as yet been eliminated). To indicate your position in these respects fill in Schedule I below. The percentage comparisons are indicated in Lines (4) and (5) of Schedule I.

SCHEDULE I—SALES INFORMATION

In the following schedule allow one line to an item. If application is being made for a line (or group) of products select representative items which accurately reflect the average cost-price relationship of the line. (Generally the fastest selling items) and fill in the required information for each item, including the line "Peak Costing." The items selected should account for at least 25% of total sales of the line or group in 1941, but you need not submit data for more than eight items if these are truly representative. In selecting sample you may include on this application form items for which you have costs reflecting recent normal operating experience, as well as for those for which you do not have such experience.

Identify each item in the spaces below (Name, Catalog Numbers, etc.)	Total of columns 1, 2, 3, and 4				Total sales of entire line
	(1)	(2)	(3)	(4)	
1 Sales—last 3 months x 4 ^a					
2 Sales—3 previous months x 4					
3 Sales—year ended December 31, 1941					
4 Line 1 ÷ line 2					
5 Line 1 ÷ line 3					

^a If your sales of these items are seasonal in nature so that sales for the period are not truly representative, may submit additional data to demonstrate that sales of the items are actually at a rate in excess of 75% of normal sales for the year 1941.

PART A—COMPUTATION OF NEW MAXIMUM PRICES
SCHEDULE II—COMPUTATION OF AVERAGE DISCOUNT

The purpose of this schedule is to determine for the year 1941 or some significant part thereof the average discounts from list (or gross) prices for each item listed in Schedule I, when such items were sold to more than one class of purchaser. If sales to different classes of purchasers for this period were not representative of anticipated sales for the coming year, you may submit supplementary information relating to this for consideration by OPA.

	Columns refer to corresponding columns of schedule I				
	(1)		(2)		(4)
	Gross sales	Percent discount	Gross sales	Percent discount	Percent discount
1 Sales to final users					
2 Sales to dealers					
3 Sales to jobbers					
4 Sales to others					
5 Total sales—average discount		%		%	%

SCHEDULE III—COMPUTATION OF NEW MAXIMUM PRICES

Fill in the following information for each item listed in Schedule I

	Columns refer to corresponding columns of Schedule I			
	(1)	(2)	(3)	(4)
	Current maximum list (or gross) price ^a	Requested maximum list (or gross) price	Unit cost on base date of regulation	Direct materials
1 List price on base date of regulation				
2 a				
b				
3				
a				
b				
c				
d				
e				
4				
a				
b				
c				
d				
e				
5				
a				
b				
c				
d				

Additional data needed if you are requesting price increase for a line of products.

6	Base date general, administrative selling expense		
---	---	--	--

^a If different from list price on base date explain why on separate sheet. If you have received any price adjustments from OPA since the base date on products covered by this application, also give the OPA docket number(s) of the application(s).

PART B—ALLOWABLE INCREASES IN COSTS
SCHEDULE IV—COMPUTATION OF PERCENTAGE INCREASES IN PRICES OF DIRECT MATERIALS

For the completion of Line 4a of Schedule III you must determine the percentage increase since the applicable base date in the covering regulation in the prices of materials, parts and subassemblies as purchased by you in the same quantity, from the same source(s) and under the same general terms of sale. Where several items are listed in Schedule I, separate percentages may be determined for each item if such items are quite dissimilar with respect to the materials used and the proportions in which they are used. Otherwise fill out the schedule on the basis of all the bills of materials of the items listed in Schedule I.

	a Value of materials used (1)	Net purchase price per unit		Percent increase (column 3 minus column 2) + Column 2 (4)	Column 4 X Column 1 (5)
		c Base date	d November 27, 1945		
		(2)	(3)		
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18	All other ^a				
19	Total				
20	Percent increase (line 19, column 5+line 19, column 1)			%	

FOOTNOTES FOR SCHEDULE IV

^a "Description of Material" may refer either to individual items or to groups of items where a wide variety of such items are purchased. In the case of individual items the "Description of Materials" should be specific and complete for each item setting forth the name of the material, form, size, etc., for raw materials, and the name and supplier's designation for component parts and subassemblies. Where a wide variety of items is referred to, give the group designation of products under the "Description" and show average prices in Columns (2) and (3) if such averages have significance. Otherwise make entries only in Columns (1) and (4). Wherever practical, the first method should be used. The grouping of items and averaging may be used only where the prices of the materials involved have not changed or changed only slightly, or constitute a homogeneous group such as gray iron castings (not all castings) or hot-rolled steel bars (not all steel).

^b Indicate here the value of the material or part in the bill of materials, or if the schedule applies to several items, the total value of the materials as indicated in all the bills of materials combined.

^c Show the base date price paid per unit of material or part. This should be the price recorded on the earliest dated invoice in October 1941 representing a normal-sized purchase from your principal customary supplier. If you have no invoice during that month, use the last preceding invoice dated earlier than October 1941.

^d Report prices as of November 27, 1945. If the current price is in excess of the November 27, 1945 price, report such an increase on a separate sheet, but recognition of such increase should be made in the same quantity and under the same general terms of sale as are issued thereunder, and the applicable standard cost should be reported. If November 27, 1945 price, such direct selling price of the material or part sold by the supplier in the same quantity and under the same general terms of sale for which the October 1941 price was shown in Column (2) was reported. The ceiling price of an alternative supplier should be reported only where the 1941 supplier has been completely out of the business of supplying that general type of material. Where this has occurred the selling price must be reported for a supplier of the same class and for the customary-sized purchase on which the October 1941 price was reported.

Only where November 27, 1945 prices definitely cannot be determined may current ceiling prices be reported under the same conditions (stated above) as apply to the November 27, 1945 price. Indicate these current ceiling prices with an asterisk (*) and the date for which reported. OPA will make the necessary adjustment (if any).
 * "All Other" if possible, should not account for more than 25% of the total. Give an estimate of the percentage increase in the column provided for this purpose.

SCHEDULE V—COMPUTATION OF PERCENTAGE INCREASE IN BASIC WAGE RATE SCHEDULE

For the completion of Line 4b of Schedule III you must determine the percentage increase from the applicable base date of the covering regulation to November 27, 1945 in the basic wage rates of your direct factory workers employed in the division of your business in which the items given in Schedule I are produced. Two alternative methods are provided below for determining this percentage increase. Full instructions for selecting the proper one and filling out the form follow.

GENERAL INSTRUCTIONS FOR FILLING OUT SCHEDULE V

Fill in either Schedule V (1) or V (2). Schedule V (1), however, should be used wherever possible. The use of Schedule V (2) is limited to certain special conditions set forth below under the instructions preceding the table of Schedule V (2). The Schedules, in general, are used to measure certain increases in your basic wage rates of factory employees since the applicable base date in the covering regulation. This refers to increases in single rates, or ranges of rates (measured from the mid-point of the old range to the mid-point of the new) for one or more job classifications as distinguished from increases affecting single employees. "Factory employees" refers to all the workers included in "direct labor" (Line 3b of Schedule III).

The OPA will recognize any increases in wages or salaries approved by the appropriate stabilization agency on or before November 27, 1945.

NOTE.—Report any increases since that time, but the recognition of such increases in the computation of adjusted costs shall be subject to the provisions of Executive Orders 9599, 9651, such directives as are issued thereunder by the Stabilization Director, and the applicable standards of OPA.

The following lists show types of recognized increases which may be included, and those which may not be included:

Types of changes which may be included

1. A plant-wide or any other general increase affecting a considerable portion of the positions in the plant which provides (a) a uniform change in cents per hour or per piece, (b) a uniform percentage change for all jobs covered by the action, or (c) a systematic list of differential increases among jobs.
2. Increases in cents per hour, or percent, to one or more job classification rates, rate ranges, piece rates or incentive wage rates.
3. Changes in the structure of incentive plans which affect the amount that can be earned for the same quality of work as represented by the average worker affected as of the date the changes were made.
4. An action in which the War Labor Board awards have provided for internal readjustment of wage rates amounting to a specified average increase.
5. Increases to equalize job rates for women, or for persons of certain races with rates for work of equal quantity or quality as already paid to men, or to persons of other races, but in no case shall the weight given such a change exceed the proportion of the plant's employees in those groups previously paid at lower rates in the payroll period immediately preceding the base date.

Types of changes which may not be included

1. In-grade promotions or any change in wage for the individual as distinguished from a change in the rate for the job.
2. Changes in vacation policies, non-production bonuses, or pay for overtime.
3. Increases granted automatically for length of service at stated intervals or after given periods.
4. Increases in earnings because of greater worker productivity under an incentive plan.
5. Changes in piece rates resulting from drastic changes in products, unless there has been a specific bargaining agreement to increase earnings during the process of revision.
6. Higher shift differentials except for plants which have multiple shifts in the major part of the plant's operations on the base date.

1 Percentage increase in basic wage rate schedules by analysis of individual wage actions

A Analysis of individual wage actions

A Department, occupation or job classification affected	Date of adjustment	B Adjustment (cents per hour or percent)	C Average straight-time hourly earnings before adjustment (omit if column 3 is completed in cents)	D Percent in column 3 × amount in column 4	E Percent of total workers in division receiving increase	Amount in column 3 or column 5 × percent in column 6	F WLB authority
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
I							
II							
III							
IV							
V							
VI							
VII	Total						

B Average straight-time hourly earnings for the last payroll period prior to the applicable base date of the covering regulation

I	Payroll period used (give dates)
II	Total hours worked by factory employees
III	Total earnings at straight-time wages ^a
IV	Average straight-time hourly earnings (Line iii ÷ line ii)

C Increase in basic wage rate schedules—Line A (vii)—line B (iv)

PART 1305—ADMINISTRATION

[SO 152]

MAXIMUM PRICES FOR SALES OF CERTAIN SLOP CHEST SUPPLIES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

SECTION 1. What this supplementary order does. This supplementary order fixes ceiling prices for sales by slop chest dealers direct to vessel operators, who operate under either domestic or foreign registry, of the slop chest supplies set forth in Appendix A, which, pursuant to arrangements made between the War Shipping Administration and the manufacturers of such supplies, may be purchased by slop chest dealers upon approval of the War Shipping Administration.

SEC. 2. Definitions. When used herein the following terms have the following meaning:

(a) "Slop chest dealer" means any individual, partnership, association, business trust, corporation or any other organized group of persons whether or not incorporated, regularly engaged in operating a bona fide business of supplying slop chest supplies directly to vessel operators and who have agreed with the War Shipping Administration:

(1) To sell to any vessel, whether operated under domestic or foreign registry, any of the slop chest supplies listed herein, acquired upon approval of the War Shipping Administration, at prices not in excess of those set forth in Appendix A; and

(2) To furnish to the War Shipping Administration receipted delivery tickets, invoices and certifications covering all sales to such vessel's operators.

(b) "Slop chest supplies" means any of the supplies listed herein acquired by a vessel operator, who operates a vessel under either domestic or foreign registry, for resale aboard said vessel to merchant marine personnel, and which were procured by the slop chest dealer upon approval of the War Shipping Administration for resale to such vessel operators for immediate delivery on board a vessel.

(c) "Vessel operator" means any individual, partnership, association, business trust, corporation or any other organized group of persons whether or not incorporated (including the United States Government) operating, as the owner or owner's agent, a vessel engaged in foreign or domestic commerce.

SEC. 3. Posting. Any slop chest dealer having for sale any of the slop chest supplies set forth herein must post in a prominent and clearly visible position in the place where the supplies are offered for sale, a sign describing the supplies offered for sale and stating that the prices listed therein are OPA ceiling prices.

SEC. 4. Relation to other regulations or orders. This supplementary order, with respect to the commodities and conditions of sales which it covers, super-

- 2 Percentage increase in basic wage rates by analysis of occupational wage rates. This alternative may be used only if the following conditions make it impossible to use Schedule V (1).
(a) A continuous history of wage rate increases is lacking because of an extended company (or plant) shutdown after October 1941.
(b) The proportion of workers in the job classification receiving wage increases to total company (or division) employment varied substantially (except where uniform wage increases were granted to the job classifications affected).
If this schedule is used instead of Schedule V (1) indicate fully why Schedule V (1) could not be used.

Occupation or job classification (welder, Class B assembler, etc.)	Number of employees base date period	Base date straight-time hourly wage rate			Column 2 × column 5	Straight-time hourly wage rate November 27, 1945			Column 2 × column 9	
		Rate range ^j		Specific rate or mid-point of rate range		Rate range ^j		Specific rate or mid-point of rate range		
		Minimum rate	Maximum rate			Minimum rate	Maximum rate			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
a										
b										
c										
d										
e										
f										
g										
h										
i										
j										
k										
l										
m										
n										
o										
p	Total									
q	Line p, column 10 minus line p, column 6									
r	Wage rate increase (line q ÷ line p, column 6)					%				

FOOTNOTES FOR SCHEDULE V

¹ An entry should be made for each separate occasion of a wage increase among the factory employees for the division of the business in which the items are produced. The change might involve only one job, or might include several job classifications, or even the whole of a department or plant. See NOTE above, under General Instructions for Filling Out Schedule V.

² If an entry in this Column covers more than one job classification, rate or rate range receiving non-uniform increases, the amount reported should represent the weighted average of all the increases. The weighted average may be determined by multiplying the amount of each separate increase by the number of employees affected and dividing the sum of these products by the total number of employees receiving the increase.

³ Fill in this Column only in case the increase in Column 3 is stated in percent. Select a payroll period immediately preceding the date of the adjustment and determine the average hourly earnings during that period for the group of employees receiving the increase.

⁴ This operation is for the purpose of converting any increase expressed in percentage in Column 2 into cents per hour.

⁵ Compute the percentage of workers affected by dividing the number of employees to which the rate change applies by the total number of factory employees on the payroll at the time the change was affected.

⁶ For each adjustment since October 2, 1942, the WLB Office approving such adjustment and the order number and date must be listed for each adjustment requiring specific WLB approval. For other adjustments, such as those made under WLB General Orders, indicate the type of authorization.

⁷ Total earnings of employees at straight-time rates means earnings (1) before deductions for Social Security, withholding taxes, insurance, hospitalization dues, etc., (2) inclusive of regularly recurring bonus payments, such as production bonuses, and (3) exclusive of extra payments for overtime, and bonus payments that are not a part of regular earnings.

⁸ List the most important occupation or job classification of factory employees on payroll during last period prior to the applicable date of the regulation for the division producing the item. Account for at least 75% of the total employees.

⁹ Give number of employees in each occupation or job classification for this same period.

¹⁰ If there existed an established range of rates for the job during the period specified list the minimum and maximum time rates in the appropriate columns. Also see NOTE above, under General Instructions for Filling Out Schedule V.

¹¹ If entries were made in the two previous columns, enter here the mid-point between these maximum and minimum rates. Otherwise, enter the specific straight-time rate applicable to the job for the period specified.

I certify that the facts submitted in this application are true and correct.

Sign here

(Signature of Officer)

(Title)

(Date)

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective March 25, 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4609; Filed, Mar. 19, 1946;
4:34 p. m.]

sedes any other regulation or order previously issued by the Office of Price Administration.

SEC. 5. Revocation and amendment.
This supplementary order may be revoked or amended at any time.

This supplementary order is effective on March 25, 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

APPENDIX A

Clothing	Ceiling price
1. Belts, web, solid brass buckle & tip, khaki	\$0.45 each
2. Caps, engineers, taffeta, water repellent crown, lining, with sweatband & visor, braided cord trim, black	.54 each
3. Caps, fireman, black, sateen crown, white lining, light visor brim	.19 each
4. Caps, white twill, 8-section crown, snap-fasten, covered button	.45 each
5. Caps, watch wool, Navy Spec. No. 73C3 (INT)	.79 each
6. Coats, dungaree, U. S. Maritime Comm. Spec. No. P-26	2.32 each
7. Coats, foul weather, short, Navy Spec. No. 72R4 (INT)	4.27 each
8. Coats, foul weather, long, Navy Spec. No. 72R4 (INT)	6.97 each
9. Coats, rubber, ¾ length, Wibur MR-130, synthetic rubber, 100% water repellent	4.89 each
10. Drawers, cotton briefs, jockey type, knitted cotton, full elastic waistband	.35 each
11. Drawers, cotton shorts, sanforized white broadcloth or pajama check, 3-button front or grippers, tie sides:	
(a) Arrow	.58 pair
(b) Benham	.46 pair
12. Drawers, wool & cotton, 50% wool, silver gray, ankle length, adjustable tie back, U. S. Army Spec. No. F-138	1.93 pair
13. Gloves, cotton flannel, unbleached, single thickness back & palm, 12 oz., knit wrist, warlong No. 571DA	.21 pair
14. Gloves, leather palm, split palm, ¾ leather thumb, leather knuckle strap, cotton flannel back:	
(a) safety cuff	.57 pair
(b) knit wrist	.66 pair
15. Gloves, woolen, Navy Dept. Spec. Nos. 73G-2A, 73G-2B	1.07 pair
16. Handkerchiefs, colored, U. S. Maritime Comm. Spec. dated April 30, 1945	.10 each
17. Handkerchiefs, white, Fed. Spec. No. DDD-H-71A	.08 each
18. Hats, middy, white, Navy Spec. No. 73-H1-e	.80 each
19. Helmets, sun, Navy Spec. No. 73-H3 (INT)	1.63 each
20. Jackets, melton, U. S. Maritime Comm. Spec. dated March 22, 1945	6.92 each
21. Jerseys, turtleneck, Navy Dept. Spec. No. 55J2 (INT)	3.35 each
22. Shirts, broadcloth, khaki, regulation military without shoulder straps	2.14 each
23. Shirts, broadcloth, white, attached collar, single cuffs:	
(a) "Jaysen"	1.92 each
(b) Arrow	1.87 each
24. Shirts, chambray, blue, Navy Spec. No. 55S20 (INT)	.95 each
25. Shirts, chino, khaki, 6.2 combed twill, regulation military stand-up collar, no shoulder straps	2.56 each
26. Shirts, flannel, U. S. Maritime Comm. Spec. No. P-22	2.43 each
27. Shirts, jean, khaki, U. S. Maritime Comm. Spec. No. P-18	1.63 each
28. Socks, boot:	
60% merino wool, 40% cotton, silver grey, 4 lbs. per dozen, Triamp Corp.	.91 pair
94% wool, 6% cotton, 3 lbs. per dozen Seneca Knitting Mills, Style 999	.60 pair
29. Socks, cotton, Federal Spec. No. JJ-8-560a	.23 pair
30. Socks, wool & cotton, 60% wool, 40% cotton, 2½ lbs. per dozen, silver grey	.46 pair
31. Sou'westers, Navy Spec. No. 72-R4 (INT)	1.34 each
32. Sweatshirts, cotton, fleece-lined, pullover, with collarette and V-insert	.83 each
33. Ties, four-in-hand, black:	
(a) rayon with wool lining	.31 each
(b) wool	.69 each

Clothing	Ceiling price
34. Trousers, chino, grey, U. S. Maritime Comm. Spec. No. P-15	\$3.13 pair
36. Trousers, drill khaki, 2.50 suntan drill, U. S. Maritime Comm. Spec. No. P-17:	
Rice-Six	1.91 pair
Lee	2.22 pair
Sweet-Orr	2.36 pair
37. Trousers, dungaree, U. S. Maritime Spec. dated April 18, 1945	1.76 pair
38. Trousers, foul weather, Navy Dept. Spec. No. 72-R4 (INT)	4.31 pair
39. Undershirts, athletic, Navy Dept. Spec. No. 55-S31 (INT)	.31 each
40. Undershirts, tee, Navy Dept. Spec. No. 55-U13 (INT)	.50 each
41. Undershirts, wool & cotton, 50% wool, pull-over type, high neck, long sleeves, U. S. Army Spec. No. 8-139	1.97 each
42. Boots, rubber, knee, plain toe, men's industrial	3.96 pair
43. Boots, rubber, ¾ length, plain toe, men's industrial, Storm King	5.47 pair
44. Clogs, shower, softwood, shaped, web band, chemically treated	.43 pair
45. Shoes, work, low, black:	
(a) U. S. Maritime Comm. Spec. No. P-23	4.67 pair
(b) Endicott-Johnson #1209	3.72 pair

Toiletries	Ceiling price
46. Blades, razor:	
(a) Gem, single edge, five blades to package	.17 package
(b) Gillette Blue Blade, double edge, five blades to package	.19 package
(c) Schick Injector, 20 blades to cartridge	.53 cartridge
47. Brushes, shaving, Ever-Ready #79A	.48 each
48. Brushes, tooth, Johnson & Johnson "Tek" professional nylon bristles	.15 each
49. Cream, shaving, lather:	
(a) Palmolive, large	.22 tube
(b) Mennen, large	.24 tube
(c) Williams, large	.24 tube
50. Cream, shaving, brushless:	
(a) Palmolive, large	.22 tube
(b) Mennen, large	.24 tube
(c) Barbasol, 2.3 ounce	.15 tube
(d) Williams, large	.17 tube
51. Lotion, after shave:	
(a) Mennen, 5½ oz. size	.34 bottle
(b) Williams, 5 oz. size	.34 bottle
(c) Palmolive, 5 oz. size	.27 bottle
52. Mouthwash, Listerine Antiseptic, 7 oz. size	.34 bottle
53. Paste, tooth:	
(a) Colgate, large	.17 tube
(b) Kolynos, medium	.16 tube
54. Powder, foot, Mennen, Quinsana, 5½ oz. size	.34 can
55. Powder, talcum:	
(a) Palmolive, large	.20 can
(b) Mennen, 2½ oz. size	.17 can
(c) Williams	.17 can
56. Powder, tooth:	
(a) Colgate, large	.17 can
(b) Kolynos, medium	.16 can
57. Razors, safety:	
(a) Gem Jr. with three blades	.27 set
(b) Gillette, with five Gillette Blue Blades	.38 set
(c) Schick Injector, with cartridge of 20 blades	.63 set
58. Tonic, hair, vaseline, 6 oz. bottle	.53 bottle
59. Candy bars (24 per box):	
Baby Ruth; Butterfingers; O'Henry; Milky Way; Forever Yours; Dr. I. Q.; Ping; Snicker; Mars; Hershey's Almond, Milk Chocolates, Bittersweet and Tropical; Peter Paul's Walnut Caramel and Chocolate; Mound; Rockwood's Pecan Feast and Milk Chocolate; Welsh's Coconut, Fudge and Rum Frappe; Ghirardelli's Milk, Mint and Semi-Sweet Chocolates; Nestle's Almond, Milk and Semi-Sweet Chocolates	.75 box
60. Candy Coated Chocolates, 10½ per package	.98 doz. pkg.
61. Charms, assorted flavors, 5½ packages, 20 packages to box	.61 box
62. Gum, chewing:	
(a) Wrigley, orbit, 20 pkg. to box	.60 box
(b) American Chicle, assorted, 20 pkg. to box	.65 box
(c) Beechnut, assorted, 20 pkg. to box	.66 box
63. Life Savers, mint and assorted flavors, 20 rolls per box	.61 box
64. Peanuts, blanched, salted, 8 oz. vacuum can	.23 can

Miscellaneous	Ceiling price
65. Canopies, mosquito, style No. 48-BT Bunk net Size 76" x 33" x 37½" approx	2.32 each
66. Cards, playing:	
Pinochle, U. S. "Aviator"	.29 deck
Poker, U. S. "Aviator"	.29 deck

Miscellaneous—Continued	Ceiling price
67. Combs, pocket, plastic, black, 5-inch	\$0.04 each
68. Glasses, sun, "Super Solarex"	.73 pair
69. Ink, Parker's Quink, blue-black, 2oz.	.09 bottle
70. Kits, sewing, fitted	.34 each
71. Kits, shoe polish, black, "Royal Esquire"	.99 each
72. Laces, shoe, black or brown, 48 strand cotton yarn tipped:	
27" length	.27 doz. pr.
40" length	.37 doz. pr.
73. Pipes, briar, "Knickerbocker Mountain Root"	.80 each
74. Pipes, corncob	.07 each
75. Polish, shoe, black or brown:	
Royal Esquire, 2 oz. jar	.17 can
Shinola, 2½ oz. can	.07 can
Griffin, 1¾ oz. can	.07 can
76. Straps, wrist watch, gabardine	.23 each

[F. R. Doc. 46-4610; Filed, Mar. 19, 1946; 4:33 p. m.]

PART 1389—APPAREL

[RMPR 330, Amdt. 4]

RETAILERS' AND WHOLESALE PRICES FOR WOMEN'S, GIRLS', CHILDREN'S AND TODDLERS' OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 330 is amended in the following respects:

1. Section 4 (d) is amended to read as follows:

(d) Pricing garments which have been bought or sold at a "special sale." This section provides a method of establishing ceiling prices for garments which are being sold or have been sold at a "special sale."

(1) "Special sale" defined. A "special sale" is a sale outside the normal channel of distribution such as a sale by a wholesaler to another wholesaler or to a manufacturer, or a sale by a retailer to any person other than to an ultimate consumer or to an industrial or institutional user. "Special sale," however, does not include a sale by a wholesaler to a "peddler supplier." "Peddler" means a person who maintains no place of business of his own but carries on his business by personally contacting his customers and taking them to the establishment of his supplier from whom he purchases the garment after his customer has made a selection in the supplier's establishment. A "peddler supplier" is a person who sells garments exclusively to peddlers and who maintains a place of business at which customers of peddlers may select garments for purchase from the peddlers.

(2) Ceiling prices. In the case of a sale of a garment which is being sold or which has been sold at a special sale by a wholesaler, the ceiling price (except for a sale at retail) may not exceed the maximum price of the first purchaser from the manufacturer. In no case may a garment be sold at retail or otherwise at a price in excess of the maximum price of the first retailer to whom the garment was sold.

(3) Disclosure of "special sales." (i) In the case of a sale of a garment which is being sold or has been sold at a special sale by a wholesaler, the seller (except in

a sale at retail) must place on the invoice or attach to it a statement in substantially the following form:

The following garments have been sold at a special sale under section 4 (d) of RMPR 330.

(Describe garments)

The ceiling price of the first purchaser of these garments from the manufacturer is \$— (dozen or unit as the case may be). OPA requires that if you make a sale of these garments (except a sale at retail) you must mark on your invoice or bill a statement in substantially the same form as this one.

Where the garment being sold at any time has been sold to a retailer this subdivision does not apply; subdivision (ii) sets forth the statement which must be used in such cases.

(ii) In the case of a garment which is being sold or has been sold at a special sale by a retailer, the seller (except in a sale at retail) must mark on the invoice or attach to it a statement in substantially the following form:

The following garments have been sold by a retailer at a special sale under section 4 (d) of RMPR 330:

(Describe garments)

The ceiling price of the first retailer who purchased these garments is \$— per unit. In no event may anyone resell these garments

Make	Brand	1946 Model No.	1st Zone
Edison General Electric Appliance Co., Inc.	Hotpoint ¹	EA7-1-46	\$165.50
		EB7-1-46	188.25
		EC7-0-46	209.50
General Electric Company	General Electric ¹	LBX7B-46	165.50
		BH7A-46	188.25
		B7C-46	209.50

¹ A charge of \$4.75 may be added if any Hotpoint or General Electric refrigerator is sold equipped with a left-hand door.

This amendment shall become effective on the 19th day of March 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4606; Filed, Mar. 19, 1946;
4:35 p. m.]

PART 1400—TEXTILE FABRICS: WOOL, COTTON, SILK, SYNTHETIC AND ADMIXTURES

[MPR 127, Amdt. 43]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 127 is amended in the following respect:

Section 1400.82 (b) (11) is added to read as follows:

(11) In connection with any finished goods delivered on or after March 24, 1946, if the grey goods used are any of the following, the basic grey goods cost shall not include the 5% premium provided in

at a price exceeding the ceiling price of the first retailer. OPA requires that if you make a sale of these garments (other than a sale at retail) you must make on your invoice or bill a statement in substantially the same form as this one.

This amendment shall become effective March 25, 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4601; Filed, Mar. 19, 1946;
4:33 p. m.]

PART 1380—HOUSE AND SERVICE INDUSTRY MACHINES

[MPR 598, Amdt. 4]

POSTWAR HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 598 is amended in the following respect:

Section 24, Appendix A is amended by adding the following models in proper alphabetical order to the list of refrigerator models therein:

Make	Brand	1946 Model No.	1st Zone
Edison General Electric Appliance Co., Inc.	Hotpoint ¹	EA7-1-46	\$165.50
		EB7-1-46	188.25
		EC7-0-46	209.50
General Electric Company	General Electric ¹	LBX7B-46	165.50
		BH7A-46	188.25
		B7C-46	209.50

¹ A charge of \$4.75 may be added if any Hotpoint or General Electric refrigerator is sold equipped with a left-hand door.

This amendment shall become effective on the 19th day of March 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4606; Filed, Mar. 19, 1946;
4:35 p. m.]

section 3 (a) of Supplementary Order 131, and producers, in applying subparagraph (2), above, shall make the required reduction of 3% from the maximum price exclusive of the premium.

NAME OF GOODS

Grey Osnaburgs

Class A Sheetings under 42"

36"	48 x 44	2.85
40"	48 x 44	2.85
40"	48 x 44	2.50

Class B Sheetings under 42"

40"	44 x 40	4.25
40"	48 x 40	3.25
40"	48 x 40	3.75
37"	48 x 40	4.00
31"	48 x 40	5.00

This amendment shall become effective March 19, 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4605; Filed, Mar. 19, 1946;
4:35 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 16]

RICE IN PUERTO RICO

Preamble: All available data indicate that rice stocks in the island have become

very low and that imports of such commodities will not be sufficient to cover normal demands. The limited supply of rice for civilian distribution must be conserved until arrangements can be made for the orderly and equitable distribution thereof.

Article I—Restriction of Transfers of Rice

Sec.

- 1.1 Transfers of rice prohibited.
- 1.2 Exemptions to the prohibitions of transfers of rice.
- 1.3 Inventory reports by importers and wholesalers.
- 1.4 Registration of retailers, institutional and industrial users

Article II—Enforcement

- 2.1 Criminal prosecution.
- 2.2 Suspension orders.

Article III—Scope of Order

- 3.1 Territorial limitations.

Article IV—Definitions

- 4.1 Terms explained.

AUTHORITY: § 1407.303 issued under 56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1-J, 7 F.R. 8371; WFO 56, 9 F.R. 4319; WFO 68, 9 F.R. 4319; 2nd Rev. Gen. Order 20, 8 F.R. 10917.

Article I—Restriction on Transfers of Rice

SECTION 1.1 *Transfers of rice prohibited.* During the period beginning at 6:00 a. m., March 10, 1946, and ending at 6:00 a. m. on the day this order is revoked, no person shall transfer or offer to transfer to, or accept the transfer of rice from, any other person.

SEC. 1.2 *Exemptions to the prohibitions of transfers of rice—(a) Exempt agencies.* Nothing in this order shall be construed to limit the quantity of rice which may be transferred to the Army and the Navy of the United States, the U. S. Maritime Commission, Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civilian Aeronautic Authority, the National Advisory Commission for Aeronautics and the Office of Scientific Research and Development.

(b) *The Director may make exceptions.* The Director may make exceptions to this order.

(c) *Applications for exceptions.* Any person who desires an exception to this order must apply in writing to the Director, stating the reasons therefor.

SEC. 1.3 *Inventory reports.* Every importer or wholesaler of rice must prepare in duplicate a rice inventory report on Form OPA-PR-3R. The original of such report shall be filed with the Office of Price Administration at San Juan, Puerto Rico, on or before March 13, 1946, and the duplicate shall be kept by the importer or wholesaler in his establishment for at least six months after the revocation of the Second War Powers Act as amended. Every importer must file with the Office of Price Administration at San Juan an interim report indicating the amount of rice received from the date of the last inventory filed to the date this order is revoked. The interim report must be made within two days after the arrival of each shipment of rice.

¹ 9 F.R. 2464, 3031, 4029, 4879, 10088, 12020, 12636, 13067, 14014; 10 F.R. 412, 2014, 3093, 4816, 6308, 8857, 8979, 11148, 11896, 12260, 14507, 14628, 15006; 11 F.R. 1783, 2075, 2223.

SEC. 1.4 *Registration of retailers, institutional and industrial users.* Every retailer, industrial or institutional user, except Insular Government institutions, must register with his local board on or before March 16, 1946. Retailers shall use Form OPA-PR-1R. Institutions and industrial users must use Form OPA-PR-2R.

Article II—Enforcement

SEC. 2.1 *Criminal prosecution.* Any person who wilfully performs any act prohibited or wilfully fails to perform any act required by any of the provisions of Restriction Order No. 16, may upon conviction be fined no more than \$10,000 or imprisoned for no more than one year, or both, and shall be subject to such other penalties or actions as may be prescribed by all applicable statutes.

SEC. 2.2 *Suspension order.* Any person who violates this order or any order issued hereunder may, by administrative suspension order, be prohibited from receiving or making any transfers of rice. Proceedings for the suspension orders shall be instituted and governed by the provisions of Revised Procedural Regulation No. 4 issued by the Office of Price Administration.

Article III—Scope of the Order

SEC. 3.1 *Territorial limitations.* This order shall apply to the Territory of Puerto Rico.

Article IV—Definitions

SEC. 4.1 *Terms explained.* Meaning of terms as used in this restriction order:

(a) "Director" means the Territorial Director of the Office of Price Administration for Puerto Rico or any person duly authorized to act in his place, or any person to whom he may delegate his authority to act hereunder.

(b) "Rice" means milled rice, unpolished rice and ground rice defined as such in "The United States Standards for Milled Rice" as published by the United States Department of Agriculture.

(c) "Person" means any individual, partnership, corporation, association, any organized group or enterprise or government or government agency.

(d) "Importer" means any person who imports rice into the Territory of Puerto Rico.

(e) "Wholesaler" means any person who transfers rice to any person other than a consumer.

(f) "Consumer" means any person acquiring rice for personal use or consumption.

(g) "Transfer" means sale, lease, lend, trade, give, ship or deliver in any way the ownership or possession of rice or any interest therein from one person to another.

(h) "Board" means the Local Price Control Board established by the Office of Price Administration having jurisdiction over the area where registrant's establishment is located.

(i) "Retailer" means any person who makes transfers of rice directly to the ultimate consumer.

(j) "Industrial user" means an establishment which receives rice for use in

the production, manufacture, cooking or processing of rice for sale or service.

(k) "Institutional user" means an establishment which receives rice for feeding persons housed within a non-profit institution such as a hospital, convent or prison.

This order shall become effective at 6:00 a. m. on March 10, 1946.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of March 1946.

SAM GILSTRAP,
Territorial Director,
Puerto Rico.

Approved:

M. S. BURCHARD,
Acting Regional Administrator,
Region IX.

[F. R. Doc. 46-4607; Filed, Mar. 19, 1946;
4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES [MPR 580, Amdt. 10]

RETAIL CEILING PRICES FOR CERTAIN APPAREL AND HOUSE FURNISHINGS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation 580 is amended in the following respects:

1. Subdivision (iii) of section 7 (f) (1) is amended by adding thereto the following: "If, however, in pricing a non-furniture category your group average is over 101 or if, in pricing a furniture category your group average is over 127, you find your percentage markup over cost by multiplying your group average by the multiplier listed for that category in Appendix G.

Example: If you are a house to house seller and have a "group average" of 150 for your categories in the group 101 to 607, inclusive, and you now wish to sell handbags (category 218) which you find you must price under this rule, you determine your markup over net cost as follows: refer to the multiplier opposite category 218 in Appendix G. There you will find the figure 1.045. This means that your markup on cost for handbags is $156.8 (150 \times 1.045 = 156.75)$.

2. Section 25 is amended to read as follows:

SEC. 25. *Delegation of authority.* Any Regional office of the OPA, or such other offices as may be authorized by order issued by the appropriate Regional office, may act on all: (a) base date pricing charts and amendments thereto filed or required by sections 2 and 6, respectively; (b) authorizations, revisions and modifications of authorizations under section 10 and all reports and applications filed pursuant to that section; and (c) applications by mail order establishments under section 15 (1) (2).

10 F.R. 3015, 3468, 3642, 4236, 4494, 4611, 9962.

3. In Appendix E following the words "over 98" appearing in the right column headings of Groups I and III add the words: "including 101."

4. In Appendix E after the words "over 125" appearing in the right column heading of Group II add the words: "including 127."

5. In Appendix E in the ninth column opposite category 504 under the column heading "over 56, including 59" change "46.9" to "56.9."

6. Appendix G is added as follows:

APPENDIX G—MULTIPLIERS FOR GROUP AVERAGES OVER 101 FOR CATEGORIES IN GROUPS I AND III, AND FOR GROUP AVERAGE OVER 127 FOR CATEGORIES IN GROUP II OF APPENDIX E

Category you are pricing:

Group I:	Multiplier
101.....	1.079
102.....	1.021
103.....	.976
104.....	1.040
105.....	.851
106.....	.992
107.....	.942
108.....	1.006
109.....	1.006
110.....	.928
111.....	.568
112.....	.928
113.....	.944
114.....	1.065
115.....	.974
116.....	.984
117.....	.962
118.....	.988
119.....	1.050
120.....	1.163
121.....	1.112
122.....	1.064
123.....	1.035
124.....	1.070
201.....	1.121
202.....	1.062
203.....	1.140
205.....	1.026
206.....	1.021
207.....	.980
208.....	.974
209.....	1.045
210.....	1.085
211.....	1.030
212.....	1.111
213.....	1.006
215.....	1.032
216.....	1.054
217.....	1.068
218.....	1.045
301.....	1.076
302.....	.982
303.....	.953
304.....	1.020
305.....	.967
306.....	.968
307.....	.980
351.....	1.003
352.....	1.000
401.....	1.005
402.....	.915
403.....	.918
404.....	1.015
405.....	.998
406.....	.963
407.....	.979
408.....	.947
409.....	.955
410.....	.850
501.....	.903
502.....	.941
503.....	.979
504.....	.991
505.....	.960
506.....	1.041
507.....	1.086
601.....	1.058
602.....	.967
603.....	.982

Category you are pricing:

Group I:	Multiplier
604.....	1.035
605.....	1.038
606.....	1.096
607.....	.928
Group II:	
701.....	1.073
702.....	1.052
703.....	1.004
704.....	1.048
705.....	1.077
706.....	1.180
707.....	.989
708.....	1.048
709.....	.979
710.....	1.086
711.....	1.058
712.....	1.026
713.....	.976
714.....	1.074
715.....	.954
716.....	.872
717.....	.962
718.....	.851
719.....	.899
720.....	1.033
721.....	.773
722.....	1.079
751.....	.919
752.....	.982
Group III:	
801.....	1.057
802.....	1.048
803.....	1.078
804.....	1.084
805.....	.926
806.....	.840
851.....	1.056
852.....	1.030
853.....	.938
854.....	.928

This amendment shall become effective March 19, 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4604; Filed, Mar. 19, 1946;
4:35 p. m.]

PART 1305—ADMINISTRATION

[Rev. SO 119, Amdt. 4]

INDIVIDUAL ADJUSTMENTS FOR RECONVERTING MANUFACTURERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Order 119 is amended in the following respect:

Section 3 is amended by adding the following new paragraph at the end thereof:

You may, however, apply for and receive an adjustment under the provisions of any regulation or order under which you might otherwise be entitled to an adjustment, irrespective of the maximum prices allowed you by this order, after you have manufactured the product for which you seek an adjustment for a period of three calendar months, during which your unit rate of production on the average was at least 90% as great as your average unit rate of production during the year 1941.

This amendment shall become effective on the 25th day of March 1946.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4647; Filed, Mar. 20, 1946;
11:26 a. m.]

PART 1305—ADMINISTRATION

[SO 129, Amdt. 9]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS AND INDUSTRIAL MATERIALS AND SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order No. 129 is amended in the following respects:

1. Section 1 is amended by inserting the following sentence after the first sentence in that section: "The exemption of a commodity does not, however, exempt installed sales or installation services in connection with such commodity, unless it is specifically so provided."

2. Section 2 (b) is amended by adding the following to the list of commodities thereunder:

Steel and iron marquees.

3. Section 2 is amended by adding the following paragraph (d):

(d) *Miscellaneous as follows:*

Weather vanes.

White anhydrite rock crushed to size and chemically treated for use by the motion picture industry to simulate snow.

4. Section 4 (b) is amended by adding the following to the list of commodities thereunder:

Lightning rods.

The following machinery and equipment (exclusive of hand tools, hand jacks, trucks, tractors, tractor cranes, trailers and industrial trucks) when specially designed and sold for use as ground handling and maintenance equipment for aircraft:

Handling equipment as follows:

Slings, cradles and stands.

Engine handling fixtures and equipment.

Landing gear handling fixtures and equipment.

Dollies.

Cranes.

Jacking equipment.

Service docks and personal service stands and ladders.

Mobile training units (for mechanics and other ground personnel).

Ramp equipment item as follows:

Passenger stairways.

Baggage and cargo handling equipment.

Refueling stands and refueling ladders.

Tow bars and adapters.

Wheel clocks.

Moorings.

Starting service equipment.

Demagnetizing equipment.

Protective covers and pads.

5. Section 9 is amended by inserting the following sentence after the second sentence in that section: "The suspension of price control as to a commodity

does not suspend control as to installed sales or installation services in connection with such commodity, unless it is specifically so provided."

6. Section 10 is amended by adding the following paragraph (d):

(d) *Miscellaneous as follows:*

Flexible glass decorative material.

7. Section 11 is amended by adding the following paragraph (a):

(a) *Miscellaneous primary forest products as follows:*

Post and rail (hurdle type) fencing made from split or round locust, chestnut or Tennessee red cedar logs.

8. Section 12 (a) is amended by changing the item beginning "The following electrical measuring and testing instruments * * *" to read as follows:

Electrical measuring and testing instruments when designed and used only for laboratory purposes, and parts and accessories upon which further fabrication need not be performed in order to complete their identification as parts or accessories especially designed for incorporation in or attachment to such instruments, but excluding all types of radio service shop test equipment and any instruments covered by Maximum Price Regulation 188 or Maximum Price Regulation 591.

9. Section 12 (a) is amended by adding the following to the list of commodities thereunder:

Cathode ray tubes, radio transmitting tubes, television tubes, special purpose industrial electronic tubes, but excluding X-ray tubes.

Radio transmitters, completely assembled, of 50 Watt power or greater (including amateur and police transmitters) and the following completely assembled units of such radio transmitters, exclusive of amateur and police equipment: radio frequency power unit, radio frequency power amplifier unit, modulator unit, sweep unit, rectifier power supply unit, antenna tuner unit, control panel, master control console, electronic camera unit (studio, field and film) designed for television, television film projectors (16 mm. and 35 mm.), synchronizing generator, regulated power supply unit, relay transmitter (fixed or mobile) relay receiver, and antenna systems.

10. Section 12 (c) is amended by adding the following to the list of commodities thereunder:

Footwear patterns made exclusively for the use of footwear manufacturers, and made of any of the following materials or combinations of same: fibre, fibre board, plastic, press board, paper, and metal; and including metal patterns used for centers of clicking dies, and all technical and engineering services in connection with the making of footwear patterns.

11. Section 12 (c) is amended by changing the item beginning "Instruments, industrial * * *" to read as follows:

Instruments, industrial, designed and sold as automatic devices to control and/or measure physical and chemical variables in industrial processes (such as measurement and control of pressure, temperature, humidity, flow, motion, position, space, gravity, liquid level, chemical-physical variables, acidity, alkalinity, electrolytic conductivity, oxygen content, CO₂ content and other such gases,

liquids and solids, excluding any instruments covered by Maximum Price Regulation 591, and instruments for measuring, testing, indicating or recording electrical quantities. These instruments are only those used in industrial processes for the purpose of control and/or measurement of the process and not include the entire device, machine or equipment of which the instrument is only a component part.

12. Section 12 (c) is amended by adding the following to the list of commodities thereunder:

Pipe cleaning machinery designed and sold exclusively for the cleaning of underground pipe lines used in the commercial transportation of fluids and gases.

13. Section 12 (c) is amended by changing the item beginning "The following instruments when designed and used primarily for laboratory purposes * * *" by replacing the word "primarily" by the word "only".

14. Section 13 (b) is amended by changing the item beginning "Drawn steel manufacturers' wire * * *" to read as follows:

Drawn steel manufacturers' wire (either carbon or alloy) covered by Revised Price Schedule 6, except such wire for which a base price of \$3.35 or less (per 100 pounds) f. o. b. Pittsburgh, Pennsylvania, or \$3.45 or less (per 100 pounds) f. o. b. Worcester, Massachusetts, is established by Revised Price Schedule 6.

15. Section 15 (b) is amended by adding the following to the list of commodities thereunder:

Paper party favors.
Paper place cards.
Paper snapping mottoes.
Decorative paper nut cups.
Paper novelty hats.

16. Section 16 (a) is amended by adding the following to the list of commodities thereunder:

Bicycle tire fluid.
Bluing, laundry.
Cutting compounds.
Deodorants, room.
Drawing compounds (metal and wire drawing).
Embalming fluids.
Fishscales.
Fluxes, foundry.
Hosiery wash preservations and nylon renovators.
Incense.
Ink eradicators.
Isinglass.
Jewelry and eyeglass cleaners.
Montan wax and I. G. waxes.
Nitro cake.
Pearl essence.
Silica gel.
Wallpaper cleaners.
Window anti-fogging components.

17. Section 18 (b) is amended by adding the following subparagraph (6):

(6) *Locust, chestnut or red cedar post and rail or hurdle fencing; reports of post prices and price increases.* All producers and resellers of post and rail or hurdle type fencing manufactured from chestnut, locust or red cedar must file a copy of their selling prices and a description of each item sold in the six months immediately preceding March 1, 1946, with the Lumber Branch, Office of Price Administration, Washington 25, D. C., by March 30, 1946. Within ten

days following any increase in the selling price of any item, the seller must file an amended copy of his price list.

This amendment shall become effective March 25, 1946.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4649; Filed, Mar. 20, 1946;
11:26 a. m.]

PART 1305—ADMINISTRATION

[SO 126,¹ Amdt. 20]

NONELASTIC NARROW WOVEN RIBBONS, BRAIDED NARROW FABRICS AND HAIR ADORNMENTS MADE THEREFROM; EXEMPTION AND SUSPENSION FROM PRICE CONTROL

A statement of the considerations involved in the issuance of this amendment have been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 126 is amended in the following respects:

1. Section 10 (d) is added to read as follows:

(d) *Nonelastic narrow woven ribbons, braided narrow fabrics and hair adornments made therefrom.* (1) Nonelastic narrow ribbons (12 inches or less in width) with woven fast edges and non-elastic braided narrow fabrics (12 inches or less in width), made in whole or in part of silk, rayon, nylon, tinsel thread or other fibers, except rubber, and containing less than 50% of cotton, and hair bows or hair adornments made in whole or in part therefrom. However, every manufacturer of any group of non-elastic narrow woven ribbons designated in Column A having 50 looms or more shall file reports with the Office of Price Administration, Cotton Section, Textile Price Branch, Washington, D. C., as follows: (i) On or before the 10th day of May, 1946, his name, address, and specific group of nonelastic narrow woven ribbons as listed in Column A which he manufactures and (ii) on or before the 10th day of May, 1946, and on the 10th day of every month thereafter for each item listed in Column B produced by him during the preceding month (a) the ceiling price under the General Maximum Price Regulation (unless previously reported pursuant to this section) (b) the highest price charged by him for the item during the preceding month (c) the number of yards of the item produced by him in the preceding month, and (d) the number of yards of the item produced and sold by him in each of the preceding six months (unless previously reported pursuant to this section).

The maximum price of any manufacturer who is required to report pursuant to this section shall be reinstated automatically for all sales and deliveries during any period of time in which a report is overdue.

¹ 10 F.R. 10200, 11348, 11512, 12919, 13110, 13071, 13776, 14396, 14734, 14735, 14899, 15346; 11 F.R. 881, 712.

Column A

Column B

Item in group
(width)

Group	
1. Gros Grain 10 and 50 yard put ups-----	a. $\frac{3}{4}$ " b. 1" c. $1\frac{1}{2}$ "
2. Satin 10 and 50 yard put ups---	a. $\frac{3}{4}$ " b. $\frac{1}{2}$ " c. 1"
3. Taffeta Moire 10 and 50 yard put ups-----	a. 1" b. $1\frac{1}{2}$ " c. $\frac{1}{2}$ "
4. Seam binding 100 yard put ups--	a. $\frac{1}{2}$ "

This amendment shall become effective March 20, 1946.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4648; Filed, Mar. 20, 1946;
11:26 a. m.]

PART 1305—ADMINISTRATION

[SO 132,¹ Amdt. 20]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF CERTAIN FOODS, GRAINS AND CEREALS, FEEDS, TOBACCO AND TOBACCO PRODUCTS, AGRICULTURAL CHEMICALS, INSECTICIDES AND BEVERAGES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplementary Order No. 132 is amended in the following respects:

1. In section 1 (a) (1) the commodity "Shark fins, dried (imported)" is amended to read "Shark fins, dried (domestic and imported)" and the following commodities are added in alphabetical order:

Carp, canned
Clam chowder, canned
Lobster and spiny (rock) lobster products, processed (domestic and imported) except when sold in hermetically sealed containers
Mussels, canned (domestic and imported)
Oyster stew, frozen

2. In section 1 (a) (2), the commodity "Lime juice, canned" is amended to read "Lime juice (domestic and imported)".

3. In section 1 (a) (4) the following commodities are added in alphabetical order:

Meat gravy (includes poultry gravy), packed in tin or glass
Turkey foie gras
Turkey pate
Turkey smoked, canned

4. In section 1 (a) (5) the following commodity is added in alphabetical order:

Mustard, prepared

5. In section 1 (a) (6) the following commodity is added in alphabetical order:

Rye hardtack (the hard crisp cracker made entirely of rye flour and rye meal)

¹ 10 F.R. 14954; 11 F.R. 296, 297, 881, 1102, 1467.

6. In section 1 (c) the commodity "Cigar cuttings and clippings" is amended to read:

Cigar cuttings and clippings (scrap, cuttings, clippings, sweepings, siftings and scraps or pieces of tobacco resulting from cigar manufacturing). This does not include scrap chewing tobacco consisting in whole or in part of cigar cuttings and clippings packaged for ultimate sale to consumers.

7. In section 1 (f) the following commodity is added in alphabetical order:

Gelatin foil (Thin sheets of non-edible, transparent gelatin)

8. In section 2 (a) (3), the following commodity is added in alphabetical order:

	From	To
Prepared meals sold to, and for consumption on, airlines.	March 25, 1946	Indefinite

This amendment shall become effective March 25, 1946.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved: March 7, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-4650; Filed, Mar. 20, 1946;
11:26 a. m.]

PART 1340—FUEL

[MPR 88, Amdt. 42]

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.14 is amended by adding (w) to read as follows:

(w) PAW Districts. (1) PAW District I comprises the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida east of the Appalachian River, New York, Pennsylvania, and West Virginia.

(2) PAW District II comprises the States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Indiana, Ohio, Kentucky, Tennessee, Michigan.

(3) PAW District III comprises the States of New Mexico, Texas, Arkansas, Louisiana, Mississippi, Alabama and that part of Florida west of the Appalachian River.

(4) PAW District IV comprises the States of Montana, Idaho, Wyoming, Utah and Colorado.

(5) PAW District V comprises the States of Washington, Oregon, Nevada, California, and Arizona and the Territory of Hawaii.

2. Section 9.1 is amended to read as follows:

Sec. 9.1 Kerosene, range oil, stove oil, Nos. 1, 2, 3 and 4 distillate fuel oil (including distillate diesel fuels and distillate gas oils) light and heavy tractor fuel and PS 100 and PS 200 fuel oil—(a) PAW Districts I, II, III and IV, Puerto Rico and the Virgin Islands. Notwithstanding other provisions of this regulation maximum prices determined or established on an f. o. b. or delivered price basis in PAW Districts I, II, III and IV and the territories of Puerto Rico and the Virgin Islands at all levels of sale for kerosene, range oil, stove oil, Nos. 1, 2, 3, and 4 distillate fuel oil (including distillate diesel fuels and distillate gas oils), and light and heavy tractor fuel shall be the maximum price as determined or established under other provisions of this regulation plus .5¢ per gallon. Section 9.1 (a) shall not apply to any maximum price established or determined under section 8.3 on and after March 18, 1946.

(b) PAW District V Notwithstanding other provisions of this regulation maximum prices determined or established on an f. o. b. or a delivered price basis in PAW District V at all levels of sale for kerosene and PS 100 and PS 200 fuel oil shall be the maximum price as determined or established under other sections of this regulation plus .75¢ per gallon. Section 9.1 (b) shall not apply to any maximum price established or determined under section 8.3 on and after March 18, 1946.

4. Section 9.2 is added to read as follows:

Sec. 9.2 Nos. 4, 5, and 6 residual fuel oil, gas enrichment oil, Heavy diesel oil, Navy special fuel oil, bunker "C" fuel oil, PS 300 and PS 400 fuel oil.—(a) PAW District I, II, III and IV, Puerto Rico, and the Virgin Islands. Notwithstanding other provisions of this regulation maximum prices determined or established on an f. o. b. or delivered price basis in PAW Districts I, II, III and IV, and the territories of Puerto Rico and the Virgin Islands at all levels of sale for Nos. 4, 5, and 6 residual fuel oil, gas enrichment oil, Heavy diesel oil, Navy special fuel oil, bunker "C" fuel oil, shall be the maximum price as determined or established under other sections of this regulation plus 21¢ per barrel. Section 9.2 (a) shall not apply to maximum prices established by individual letter order for sales to the United States Navy of Navy special fuel oil, No. 6 residual fuel oil, or Grade 2 Navy fuel oil and shall not apply to any maximum price established or determined under section 8.3 on and after March 18, 1946.

(b) PAW District V. Notwithstanding other provisions of this regulation maximum prices determined or established on an f. o. b. or delivered price basis at all levels of sale for gas enrichment oil, Heavy diesel oil, Navy special fuel oil, bunker "C" fuel oil, PS 300 and PS 400 fuel oil shall be the price as determined or established under other sections of this regulation plus 15¢ per barrel. Section 9.2 (b) shall not apply to maximum prices established by individual letter order for sales to the United States Navy of Navy special fuel oil, No. 6 residual

fuel oil, or Grade 2 Navy fuel oil and shall not apply to any maximum price established or determined under section 8.3 on and after March 18, 1946.

This amendment shall become effective March 18, 1946.

Issued this 18th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4527; Filed, Mar. 18, 1946;
4:13 p. m.]

PART 1340—FUEL

[RMPR 137, Amdt. 20]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS AND CERTAIN OTHER RETAIL SALES OF LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 137 is amended in the following respects:

1. Section 13 (a) is amended to read as follows:

(a) Kerosene, range oil, stove oil, diesel fuels, tractor fuels and Nos. 1 and 2 distillate fuel oil—(1) PAW District I, II, III and IV. Notwithstanding other provisions of this regulation a seller's maximum price for kerosene, range oil, stove oil, diesel fuel, Nos. 1 and 2 distillate fuel oil, and light and heavy tractor fuel in PAW Districts I, II, III and IV, and Puerto Rico and the Virgin Islands shall be the maximum price as determined or established under other provisions of this regulation plus .5¢ per gallon.

(i) PAW District I comprises the states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, District of Columbia, West Virginia, Virginia, North Carolina, South Carolina, Georgia, and Florida east of the Appalachian River.

(ii) PAW District II comprises the states of Ohio, Kentucky, Tennessee, Michigan, Wisconsin, Illinois, Indiana, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas and Oklahoma.

(iii) PAW District III comprises the states of Alabama, Mississippi, Arkansas, Louisiana, Texas, New Mexico and Florida west of the Appalachian River.

(iv) PAW District IV comprises the states of Montana, Wyoming, Colorado, Idaho and Utah.

This amendment shall become effective March 18, 1946.

Issued this 18th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4528; Filed, Mar. 18, 1946;
4:14 p. m.]

PART 1340—FUEL
[MPR 120, Amdt. 156]

**BITUMINOUS COAL DELIVERED FROM MINE
OR PREPARATION PLANT**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 120 is amended in the following respects:

1. Section 1340.226 (b) (1) is amended to read as follows:

(1) Maximum prices in cents per net ton for shipment from strip mines to all destinations for all uses and by all methods of transportation, except truck or wagon. The last six columns of prices in this table are prices for the sizes specified when shipped for railroad locomotive fuel use; and all other prices are for all uses, including other railroad fuel uses.

Production group numbers	Maximum prices by size group numbers															Railroad locomotive fuel prices							Production group numbers
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15	3' x 1 1/4" unwashed, 3' x 0 washed	3' x 0 stoker screenings with 1/2" of fines removed	2' x 1 1/4" unwashed, 2' x 0 washed	2' x 0 washed or unwashed	1 1/2' x 0 (W) washed, 1 1/4' x 0 (R) 1 1/4' x 3/4" unwashed	Any other size not specifically listed				
1.....	333	333	338	318	313	288	293	283	283	268	213	183	153	273		258		243 W	283				
2.....	298	298	298	296	288	273	278	278	258	223	213	178	153		268		243		283				
3.....	293	293	298	283	268	258	233	233	268	238	218	173	153				243		283				
4.....	348	348	323	308	293	288	348	283	283	268		218	153						323				
5.....	343	343	318	303	288	283	343	278	278	263		213	153						298				
6.....	398	398						388	388	388									283				
7.....	588	533		463		298	383	253				148							283				
8.....	513	453		413		273	338	213				153							283				
9.....	513	453		413		273	338	213				153							283				
10.....	353	343		318		263	283	188	273			158						243 R	283				
11.....	343	328		313		268	308	228	268			168	163	273		258		243 R	283				
13.....	393	393					393	303											283				
14.....	513	453		413		273	338	213				153							283				

2. Section 1340.226 (b) (2) is amended to read as follows:

(2) Maximum prices in cents per net ton for coals produced at strip mines for delivery entirely by truck or wagon to all destinations and for all uses.

Production group numbers	Maximum prices by size group numbers													
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15	
1.....	348	348	323	308	293	298	308	283	258	243	243	223	123	
2.....	328	338	313	298	283	278	298	273	273	258	258	238	123	
3.....	318	318	303	293	283	273	298	268	273	258	258	198	123	
4.....	373	373	363	343	333	308	373	293	308	293	293	213	123	
5.....	373	373	363	343	333	308	373	293	308	293	293	213	123	
6.....	433	433	433	433	433	433	433	423	423	423	423	423	423	
7.....	573	523	473	473	473	473	473	473	473	473	473	473	473	
8.....	523	473	423	423	423	423	423	423	423	423	423	423	423	
9.....	523	473	423	423	423	423	423	423	423	423	423	423	423	
10.....	448	403	358	358	358	358	358	358	358	358	358	358	358	
11.....	418	388	358	358	358	358	358	358	358	358	358	358	358	
13.....	433	433	433	433	433	433	433	423	423	423	423	423	423	
14.....	523	473	423	423	423	423	423	423	423	423	423	423	423	

3. In § 1340.210 (a) (16) the numeral 7, appearing opposite the word "strip" for District No. 15 is deleted and "0" is inserted.

4. In the table of maximum prices in § 1340.226 (b) (4) the maximum prices for strip mines are amended to read as follows:

	Strip mines
Crushed Mine Run—Bulk.....	633
Crushed Mine Run—Sacked.....	783
Lump—Over 2 1/2".....	683

This amendment shall become effective March 25, 1946.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4641; Filed, Mar. 20, 1946; 11:27 a. m.]

PART 1340—FUEL
[MPR 323, Amdt. 12]

ASPHALT AND ASPHALT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 323 is amended in the following respects:

1. Section 1340.360 (i) is added to read as follows:

(i) "Road oil" means crude petroleum or any product derived therefrom (except medium curing cut-back asphalt or flux oil when used exclusively for fluxing natural rock or native asphalt or when mixed with powdered asphalt for the purpose of preparing plant mixed paving mixtures) which upon distillation

to 680° F. will yield a residue having a penetration greater than 350 at 77° F., 100 grams, 5 seconds.

2. Section 1340.374 is renumbered 1340.375 and the following is inserted as § 1340.374.

§ 1340.374 *Over-all increases.* Notwithstanding any other section of this regulation except §§ 1340.353 (d) and 1340.357 a seller's maximum price for any product subject to this regulation except road oil¹ shall be the maximum price as determined or established under the other provisions of this regulation plus 15¢ per 42-gallon barrel in PAW District V² and 21¢ per 42-gallon barrel in the balance of the United States.

This amendment shall become effective March 18, 1946.

Issued this 18th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4529; Filed, Mar. 18, 1946; 4:14 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 582, Amdt. 3]

HAY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. The table in section 9 (a) is amended to read as follows:

January to April, inclusive

Areas	Divisions			
	I	II	III	IV
1.....	\$22.00	\$20.00	\$18.00	\$16.00
2.....	23.50	21.50	19.50	17.50
3.....	25.50	23.50	21.50	19.50
4.....	28.00	26.00	24.00	22.00
5.....	31.00	29.00	27.00	25.00

2. A new section 11a is added to read as follows:

SEC. 11a. *Pricing adjustments required for dealers and retailers when base prices are increased or decreased.* Whenever the prices in the table in section 9 (a) are increased or decreased subsequent to the date on which you purchased a lot of hay from your supplier but prior to the time you resell such hay and your maximum price for such lot of hay is dependent upon your "supplier's maximum price" on the sale and delivery to you, you shall for the purpose of determining your maximum price on resale, increase or decrease your supplier's maximum price by the amount of such increase or decrease in the table in section 9 (a).

¹ "Road oil" is defined in § 1340.360 (1).

² PAW District V comprises the States of Arizona, Nevada, Washington, Oregon, California and the Territory of Hawaii.

³ 10 F.R. 3090, 5793, 6592.

This amendment shall become effective March 20, 1946.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved: March 15, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-4642; Filed, Mar. 20, 1946;
11:27 a. m.]

**PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT**

[MPR 452, Amdt. 12]

**MANUFACTURERS' MAXIMUM PRICES FOR
AUTOMOTIVE PARTS**

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation 452 is amended in the following respects:

1. Item 10 in Appendix B is amended to read as follows:

10. Radios.

2. A new Item 43 is added to Appendix A to read as follows:

43. Radio antennae and foot controls when their prices are not included in the price of the radio.

This amendment shall become effective March 19, 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4602; Filed, Mar. 19, 1946;
4:34 p. m.]

**PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT**

[MPR 453, Amdt. 8]

**WHOLESALE AND RETAILERS' MAXIMUM
PRICES FOR AUTOMOTIVE PARTS**

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation 453 is amended in the following respects:

1. Item 10 in Appendix B is amended to read as follows:

10. Radios.

2. A new Item 42 is added to Appendix A to read as follows:

43. Radio antennae and foot controls when their prices are not included in the price of the radio.

This amendment shall become effective March 19, 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4603; Filed, Mar. 19, 1946;
4:35 p. m.]

**PART 1390—MACHINERY AND TRANSPORTATION
EQUIPMENT**

[RMFR 136, Amdt. 29]

**MACHINES, PARTS AND INDUSTRIAL
EQUIPMENT**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 136 is amended in the following respect:

The heading in Appendix A "Conduit, Metallic, except when sold by the conduit manufacturer" is amended to read as follows:

Conduit, Metallic.

This amendment shall become effective March 18, 1946.

Issued this 18th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4531; Filed, Mar. 18, 1946;
4:14 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMFR 373, Amdt. 74]

FINE GRANULATED SUGAR IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 15 of Revised Maximum Price Regulation 373 is amended by adding a new paragraph (d) to read as follows:

(d) *Specific additions to applicable maximum prices for certain sales of fine granulated sugar—(1) Sales by primary distributors who own no fine granulated sugars at the close of business on February 9, 1946. Any primary distributor who owns no fine granulated sugars at the close of business on February 9, 1946, may add 50 cents per one hundred pounds to the applicable maximum prices for fine granulated sugars established by the preceding paragraphs (b) and (c) for sales by him of fine granulated sugars on or after February 10, 1946.*

(2) *Sales by persons owning fine granulated sugars at the close of business on February 9, 1946. Any primary distributor who owns any fine granulated sugars at the close of business on February 9, 1946, may add 50 cents per one hundred pounds to the applicable maximum prices established by the preceding paragraphs (b) and (c) for sales by him of fine granulated sugars on and after February 10, 1946, upon the condition that he complies with all the pertinent requirements of the following subparagraphs (3) and (4).*

(3) *Filing of affidavit. Each primary distributor owning fine granulated sugars at the close of business on February 9, 1946, shall, not later than February 15, 1946, send by registered mail addressed to Commodity Credit Corporation, 150 Broadway, New York 7, New York, an affidavit setting out the following amounts of sugar owned by him at the close of business on February 9, 1946:*

(i) The total number of pounds of fine granulated sugar.

(ii) The total number of pounds of raw cane sugar (converted to a refined basis) in process of refinement.

(iii) The total number of pounds of raw cane sugar.

(iv) The total number of pounds of "price adjustment" raw cane sugar as defined under section 32 of the contract between Commodity Credit Corporation and refiners of cane sugar in the continental United States.

(4) *Payment to Commodity Credit Corporation. Any primary distributor owning fine granulated sugars at the close of business on February 9, 1946, who elects to increase his maximum price on February 10, 1946, shall make a statement to that effect in the affidavit described in subparagraph (3) and shall make payment by check or money order payable to the Commodity Credit Corporation in an amount computed as follows:*

(i) The total number of pounds of fine granulated sugars plus the total number of pounds of raw cane sugar (converted to a refined basis) in process of refinement, multiplied by .49 of a cent per pound; plus

(ii) The difference between the total number of pounds of raw cane sugar and the total number of pounds of "price adjustment" raw cane sugar, multiplied by .455 of a cent per pound.

Payment may be made at the time of filing the affidavit or monthly payments shall be made within 30 days following the close of the calendar month for the amount of such sugar sold during such month, until the full amount due has been paid. The maximum price, in event of failure to make such payments, shall be the maximum price in effect prior to February 10, 1946.

(5) *Election to sell inventory at lower price. Any primary distributor owning fine granulated sugars at the close of business on February 9, 1946, may, in lieu of making payment to Commodity Credit Corporation, described in subparagraph (4) above, elect to sell or otherwise dispose of the entire amount of his inventory at or below maximum prices in effect on February 9, 1946. Such person shall state in the affidavit described in subparagraph (3) that he elects to sell his inventory at the lower price. At such time as he has sold an amount equal to his February 9 inventory, he shall file by registered mail with the Commodity Credit Corporation a final affidavit stating that he has fully complied with the requirements of this subparagraph (5).*

After mailing the final affidavit in proper form such person may increase his maximum price in the amounts set out in subparagraph (2).

This amendment shall become effective as of February 10, 1946.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4645; Filed, Mar. 20, 1946;
11:28 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RMPR 373, Amdt. 73]

LIVE ISLAND HOGS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 16 of Revised Maximum Price Regulation 373 is amended in the following respects:

Table F of paragraph (1) (8) is amended to read as follows:

TABLE F—MAXIMUM PRICES FOR LIVE ISLAND HOGS

GRADE "A"; HOGS, EXCLUDING SOWS, STAGS AND BOARS	All islands (per pound)
Live weight pounds:	
Under 81	\$0.33
81-125	.27
126-174	.23
175-240	.22
241-275	.21
276-300	.195
301-325	.18
326-350	.17
351-400	.155
401-450	.14
451-500	.13
Grape "B": Good sows and good stags	.11
Grade "C": Poor sows, poor stags and all boars	.05

All of the above prices are delivered slaughterhouse.

This amendment shall become effective as of January 31, 1946.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4644; Filed, Mar. 20, 1946;
11:27 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RMPR 373, Amdt. 72]

FINISHED PIECE GOODS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 53 of Revised Maximum Price Regulation 373 is amended in the following respects:

1. Paragraph (b) is amended to read as follows:

(b) *Maximum prices for sales at wholesale.* The maximum prices for sales at wholesale of finished piece goods shall be:

(1) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland converter, the maximum price shall be an amount equal to the sum of the invoice price, less all discounts and allowances except discounts for prompt payment up to 2%, and the "landing costs" (as defined in paragraphs (f) and (g)), multiplied by 1.22; *Provided, That:*

(i) The wholesaler or jobber carries such finish piece goods in stock, and

(ii) The particular finished piece goods are to be sold out of stock, and

(iii) The particular finished piece goods are invoiced and shipped directly from the establishment of the converter to the establishment of the wholesaler or jobber.

(2) Where the sale is by a wholesaler or jobber of finished piece goods purchased from a mainland converter which is not sold out of stock and which were not shipped directly from the establishment of the converter to the establishment of the wholesaler or jobber, the maximum price shall be an amount equal to the sum of the invoice price, less all discounts and allowances except discounts for prompt payment up to 2%, multiplied by 1.12.

(3) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from another local wholesaler or jobber, except as provided in subparagraph (5) below, the maximum price shall be the same as the maximum price of the local wholesaler or jobber from whom he purchased the goods, as computed under subparagraphs (1) or (2) of this paragraph (b).

(4) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland wholesaler or jobber, except as provided in subparagraph (5) below, the maximum price shall be an amount equal to the sum of the invoice price, less all discounts and allowances except discounts for prompt payment up to 2%, and the "landing costs" (as defined in paragraphs (f) and (g)), except in the case of woolen or worsted fabrics sold to custom tailors. In such case the maximum price shall be determined by the pricing formula provided in subparagraph (1) above.

(5) *Sales by local sub-jobbers.* (i) The maximum price for sales by a local sub-jobber of finished piece goods to a retail establishment shall be:

(a) Where the sale is by a sub-jobber who purchased the finished piece goods from a mainland converter-jobber, wholesaler, or jobber, the maximum price shall be computed by multiplying the converter-jobber's, wholesaler's or jobber's maximum selling price, less all discounts and allowances except discounts for prompt payment up to 3%, by 1.25.

(b) Where the sale is by a sub-jobber who purchased the finished piece goods from a local converter-jobber, wholesaler, or jobber, the maximum price shall be computed by multiplying the converter-jobber's, wholesaler's or jobber's maximum wholesale price by 1.18.

(ii) Any sub-jobber who wishes to establish maximum prices in accordance with this paragraph must file with the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., an application for permission to do so. Such application must show that the applicant has been regularly engaged in performing the function of a sub-jobber during the year 1943 and must also show the estimated percentage of sub-jobbing business done in relation to the total sales during the years 1942 and 1943. No seller may compute his maximum prices under this section until he has

received written permission to do so from the Office of Price Administration.

(6) *Inability to determine maximum prices.* Any seller who is unable to determine his maximum wholesale price for finished piece goods under this paragraph (b) must apply the provisions of section 10 of Revised Maximum Price Regulation 373 to determine such maximum prices.

2. Paragraphs (1) (1) and (1) (2) are hereby deleted, and paragraphs (1) (3), (4), (5), (6), (7), (8) and (9) are renumbered paragraphs (1) (1), (2), (3), (4), (5), (6) and (7), respectively.

This amendment shall become effective as of January 14, 1946.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4643; Filed, Mar. 20, 1946;
11:27 a. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 11, Amdt. 73]

EXEMPTION FROM PRICE CONTROL OF RENTALS OF COMMODITIES BY THE FEDERAL PUBLIC HOUSING AUTHORITY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.46 of Rev. SR 11 is amended in the following respect:

A new subparagraph (157) is added to paragraph (b) thereof to read as follows:

(157) Rental of commodities to educational or eleemosynary institutions by the Federal Public Housing Authority.

This amendment shall become effective March 25, 1946.

Issued this 20th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4640; Filed, Mar. 20, 1946;
11:26 a. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 11, Amdt. 74]

NONREGULATED COMMON CARRIERS AND PUBLIC UTILITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (c) of § 1499.46 is amended by the addition of the following sentences at the end of subparagraph (2): "Where the increase sought, in the opinion of the Administrator, appears to be justified and a need is shown for authority to put the increased rates into effect prior to the expiration of the thirty-day period, the Administrator may, by order, specify an effective date prior to the expiration of the thirty-day period."

"Where the Administrator finds that inflationary tendencies exist with respect

to a given area or type of carrier or utility, he may by order suspend the right to make increases under the notice procedure of subparagraph (1) above, and by appropriate order or regulation provide for the approval or disapproval of proposed increases."

This amendment shall become effective March 18, 1946.

Issued this 18th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4530; Filed, Mar. 18, 1946;
4:14 p. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 87, Amdt. 2]

PART 4003—SUPPORT PRICES; SUBSIDIES IMPORTS OF GREEN COFFEE

Pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681), Executive Order 9599 of August 18, 1945 (10 F.R. 10155), Executive Order 9651 of October 30, 1945 (10 F.R. 13487), Executive Order 9697 of February 14, 1946 (11 F.R. 1691), and Executive Order 9699 of February 21, 1946 (11 F.R. 1929), *It is hereby ordered:*

Directive 87 is amended to read as follows:

1. The Reconstruction Finance Corporation is authorized and directed to establish and carry out the following subsidy program with respect to imports of green coffee:

(a) The amount of the subsidy shall be 3 cents per pound (net shipping weight basis) of green coffee imported in accordance with the eligibility provisions of this directive.

(b) In no event shall any subsidy payment be made on any green coffee imported in excess of 13,500,000 bags of 60 kilograms each.

(c) The Secretary of Agriculture shall establish a quota for each importer, based upon an aggregate quantity of 13,000,000 bags, proportionate to the importer's allocation as established under War Food Order No. 63, and shall certify these quotas to the Reconstruction Finance Corporation.

(d) The Secretary of Agriculture is authorized, in accordance with standards to be prescribed by him, to establish and certify to the Reconstruction Finance Corporation additional import quotas whenever in his judgment such action is necessary to insure that roasters of coffee who were not in business in 1941, or whose operations have been expanded since 1941 in order to supply military requirements, or whose 1941 operations were not representative because of unusual circumstances, will not suffer hardship through failure to receive an equitable share of the green coffee imported pursuant to this program: *Provided*, That the aggregate quantity of green coffee covered by such additional import quotas shall not exceed 500,000 bags of 60 kilograms each.

(e) Subsidy payments shall be made to importers who show, with respect to the coffee on which the subsidy is claimed, that:

(i) The coffee has been imported in accordance with the importer's quota as established pursuant to paragraph 1 (c) or 1 (d) of this directive;

(ii) The importer has paid no more than the maximum price at which green coffee may be imported under the provisions of Revised Price Schedule No. 50, issued by the Office of Price Administration, as amended in accordance with the provisions of section 2 of this directive;

(iii) The coffee was purchased and loaded on board an exporting carrier after November 18, 1945;

(iv) The coffee has been landed in the United States not later than June 30, 1946;

(v) The coffee has been imported into the United States for domestic civilian consumption, and

(vi) The importer agrees to the conditions set forth in paragraph 1 (f) of this directive.

(f) The Reconstruction Finance Corporation shall require that each importer, as a condition of obtaining any subsidy payment under this program, agree:

(i) That he will not hold any inventory of green coffee in the United States in excess of a reasonable amount as defined by the Secretary of Agriculture in accordance with section 3 (b) of this directive;

(ii) That the coffee on which the subsidy is claimed will be sold by him only for domestic civilian consumption in the United States;

(iii) That, in the event of an increase in maximum prices for coffee upon the termination of this subsidy program, he will refund to the Reconstruction Finance Corporation the equivalent of such price increase (not to exceed 3 cents per pound, green basis) on all coffee which he then has in inventory on which the subsidy has been paid. For the purposes of this paragraph, the subsidy will be deemed to have been paid on all coffee which the importer has in inventory in the United States upon the termination of this program, not to exceed the quantity on which he has received subsidy payments.

(g) This directive may be amended to provide for further restrictions on, or prohibition of, the exportation of coffee in any form, in order to effectuate the purposes for which this program is established.

(h) If the Price Administrator determines that any claimant of subsidy payments has, during the period covered by this program, wilfully violated any provision of Revised Price Schedule No. 50, he shall certify that fact to the Reconstruction Finance Corporation and the Reconstruction Finance Corporation shall withhold all subsidy payments to which the claimant would otherwise be entitled under this program.

2. The Price Administrator is authorized and directed to continue the provision that coffee imported in accordance with the conditions prescribed in this directive with respect to eligibility for subsidy payments may be imported at

prices 3 cents per pound higher than the maximum prices which were in effect prior to November 18, 1945.

3. The Secretary of Agriculture is authorized and directed:

(a) To suspend War Food Order No. 63 with respect to coffee until July 1, 1946;

(b) To determine what constitutes a reasonable inventory of green coffee and to issue an order limiting all inventories accordingly; and

(c) To issue an order providing for the equitable distribution of green coffee by importers participating in this subsidy program.

4. Until July 1, 1946, any importer purchasing green coffee for importation shall, within 15 days of the date of purchase, report the terms of purchase to the Department of Agriculture on a form to be supplied by that Department.

Issued and effective this 19th day of March 1946.

CHESTER BOWLES,
Director.

[F. R. Doc. 46-4628; Filed, Mar. 20, 1946;
10:18 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

NATIONAL SERVICE LIFE INSURANCE EXAMINATIONS

§ 10.3464 *Examination of applicants for insurance or reinstatement.* Where physical or mental examination is required of an applicant for National Service Life Insurance, or of an applicant for reinstatement of National Service Life Insurance, such examination may be made by a medical officer of the United States Army, Navy, or Public Health Service, or may be made free of charge to him by a full-time or part-time salaried physician at a regional office or hospital of the Veterans Administration. Such examination may also be made, at the applicant's own expense, by a physician duly licensed for the practice of medicine by a State, Territory of the United States or the District of Columbia, who is not related to the applicant by blood or marriage, associated with him in business, or pecuniarily interested in the issuance or reinstatement of the policy. Examinations made in a foreign country by a physician duly licensed for the practice of medicine and otherwise acceptable, may be accepted if submitted through the American Consul. The Administrator of Veterans Affairs may require such further medical examination or additional medical evidence as may be deemed necessary and proper to establish the physical and mental condition of the applicant at the time of the application.

(54 Stat. 1008-1014; 38 U.S.C. 801-818.)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,

MARCH 20, 1945.

[F. R. Doc. 46-4675; Filed, Mar. 20, 1946;
11:45 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 11—FOREIGN QUARANTINE REGULATIONS

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SUBPART I—BORDER QUARANTINE

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SUBPART J—IMPORTATION OF CERTAIN THINGS

- 11.151 Lather brushes.
11.152 Psittacine birds.
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11.156 Dead bodies.

AUTHORITY: §§ 11.1 to 11.156, inclusive, issued under secs. 215, 361-369, inclusive, 58 Stat. 690, 703-706, 42 U.S.C., Supp. IV, 216, 264-272, inclusive.

NOTE: It should be observed that generally the following regulations are made applicable both to vessels and aircraft (including persons and things thereon). Wherever regulations apply solely to vessels that intention is expressly indicated. Regulations applicable solely to aircraft appear in Subpart K (§§ 11.501-11.516, inclusive.)

SUBPART A—DEFINITIONS

§ 11.1 *Definitions.* As used in this part, terms shall have the following meaning:

(a) *Communicable disease.* Any disease, the etiologic agent of which may pass or be carried directly or indirectly from one person to another.

(b) *Contact.* Any person known to have been in such association with an infected person, animal or vector as to have been presumably exposed to infection.

(c) *Contamination.* The presence in an article, or matter of undesirable substance or material which may contain pathogenic micro-organisms.

(d) *Disinfection.* The act of rendering anything free from the causal agents of disease.

(e) *Disinfection.* The act of destroying the vectors of a communicable disease.

(f) *Fumigation.* The process by which the destruction of vermin and rodents is accomplished by the employment of gaseous agents.

(g) *Immunity.* The condition of being protected against a particular disease either as a result of artificial immunization or through a previous attack of the disease in question.

(h) *Incubation period.* The period between the implanting of disease organisms in a susceptible person and the appearance of clinical manifestations of the disease.

(i) *Infected vessel or aircraft.* A vessel or aircraft upon which a case of quarantinable disease exists or develops among persons or rodents aboard or upon which infected vectors of a quarantinable disease are found after embarkation.

(j) *Infestation.* The condition of harboring insects or rodents capable of transmitting disease.

(k) *Isolation.* The separation of human beings or animals from other human beings, animals, or vectors of disease in such manner as to prevent the transmission of the disease.

(l) *Medical officer in charge.* The medical officer of the Public Health Service in charge of a quarantine station.

(m) *Observation.* The detention under medical supervision of a person in such place and for such period of time as may be specified in §§ 11.1 to 11.156, inclusive.

(n) *Port under the control of the United States.* Any seaport or airport in the continental United States, its territories, or possessions, other than the Canal Zone.

(o) *Pratique.* A certificate issued by a quarantine officer releasing or provisionally releasing a vessel or aircraft from quarantine.

(p) *Quarantine.* The detention of a person, vessel, aircraft or other conveyance, animal, or thing, in such place and for such period of time as may be specified in §§ 11.1 to 11.156, inclusive.

(q) *Quarantine officer.* A medical officer or other specially trained employee assigned to quarantine duty by the Surgeon General.

(r) *Quarantinable diseases.* The specific communicable diseases: cholera, plague, smallpox, louse-borne typhus and yellow fever.

(s) *Rodents.* Gnawing mammals concerned in the transmission of quarantinable diseases.

(t) *Sanitary log.* A record of events and conditions of sanitary significance to the vessel.

(u) *Surveillance.* The temporary supervision of a person who has been released from quarantine upon the condition that he will submit himself to further medical examination or inquiry.

(v) *Suspected vessel or aircraft.* A vessel or aircraft arriving from a port infected or suspected of being infected with a quarantinable disease.

(w) *Typhus.* Louse-borne typhus.

(x) *Vector.* An insect, animal, plant, or thing which conveys pathogenic organisms from a person or animal to another person or animal.

(y) *Vermin.* A species of insect capable of being a vector in the transmission of disease.

§ 11.2 *Incubation period.* For the purpose of this part the incubation period of the quarantinable diseases shall be:

Cholera.....	Five days.
Plague.....	Six days.
Smallpox.....	Fourteen days.
Typhus.....	Twelve days.
Yellow fever.....	Six days.

§ 11.3 *Period of immunity.* The following shall be the period of immunity following successful immunization with a vaccine approved by the national health department of the country in which the vaccine is administered, except that in the case of yellow fever, the vaccine must be approved by the approving authority designated by treaty.¹

¹Under article 40 (and the International Form of Certificate of Inoculation annexed thereto) of the International Sanitary Convention, 1926, as amended by the International Sanitary Convention, 1944, to which the United States is a party, the yellow fever vaccine and the method of inoculation employed must be approved by the United Nations Relief and Rehabilitation Administration.

Cholera.....	From six days through six months following inoculation.
Plague.....	Six months.
Smallpox.....	Three years.
Typhus.....	One year.
Yellow fever.....	From 10 days through four years following inoculation.

SUBPART B—MEASURES AT FOREIGN PORTS

§ 11.11 *Bills of health.* A vessel or aircraft at any foreign port clearing or departing for any port under the control of the United States shall not be required to obtain or deliver a bill of health.²

§ 11.12 *Applicability of subpart.* The measures prescribed in this subpart must be taken at foreign ports with respect to vessels or aircraft departing for ports under the control of the United States.

§ 11.13 *Cholera; vessels or aircraft; things.* At ports infected or suspected of being infected with cholera, special care shall be taken to provide a safe water and food supply for the vessel or aircraft. No foods, other than the food supply of the vessel or aircraft or food accepted for shipment, shall be permitted to be taken aboard. Food products which may be consumed in an uncooked state coming from localities infected or suspected of being infected with cholera shall not be accepted for shipment.

§ 11.14 *Cholera; vessels or aircraft; persons.* A person who (a) comes from a cholera infected area, or (b) desires to embark at an infected port, shall not be permitted to board a vessel or aircraft unless such person:

(1) Has been detained five days in an environment known to be free from a source of infection and is without evidence of infection; or

(2) Presents satisfactory evidence of immunity.

§ 11.15 *Plague; vessels or aircraft.* At ports infected or suspected of being infected with human or rodent plague, special care shall be taken to prevent rodents, fleas and infected persons from boarding the vessel or aircraft and shall include the following measures:

(a) Immediately upon docking and during the entire time a vessel lies at a wharf, it shall be fended off at least six feet; all connecting lines shall be properly fitted with rat guards; gangways and other means of access to the vessel shall be well lighted or separated from the shore at night.

(b) The vessel or aircraft shall load only cargo which has been found free from rats or has been treated to destroy rats and fleas.

(c) Prior to departure the vessel or aircraft shall be inspected for rodents and fleas. If rodents or fleas are present, measures shall be taken for their destruction.

§ 11.16 *Smallpox; vessels or aircraft.* A person from an area where smallpox is present who does not present satisfac-

tory evidence of immunity shall not be permitted to embark until vaccinated.

§ 11.17 *Typhus; vessels or aircraft; things.* An article intended to be transported (including personal effects), if infested with lice, shall not be permitted to be taken aboard the vessel or aircraft at a port infected or suspected of being infected with typhus until such article has been disinfested.

§ 11.18 *Typhus; vessels or aircraft; persons.* A person who (a) comes from an area where typhus prevails, or (b) desires to board at a port infected or suspected of being infected with typhus, shall not be permitted to board a vessel or aircraft until louse free.

§ 11.19 *Yellow fever; vessels or aircraft; persons.* A person who has been exposed to a case of yellow fever shall not be permitted to embark on a vessel or aircraft until six days after exposure unless he presents satisfactory evidence of immunity.

§ 11.20 *General requirement.* The master of a vessel shall enter in the sanitary log, or other official record, a statement of all measures taken to effect compliance with the provisions of this subpart.

SUBPART C—MEASURES IN TRANSIT

§ 11.31 *Applicability.* The measures prescribed in this subpart must be taken at sea with respect to vessels destined for ports under the control of the United States.

§ 11.32 *Sanitary inspection; corrective measures.* The master or a designated officer shall make a daily sanitary inspection of all accessible compartments of the vessel. Immediate corrective measures shall be taken if evidence of vermin, rodents or insanitary conditions is found.

§ 11.33 *Entries in sanitary log.* A record of the conditions found and the corrective measures taken shall be entered in the sanitary log or other official record.

§ 11.34 *Radio report of disease aboard.* The master of the vessel shall report promptly by radio to the medical officer in charge at the port of entry of the occurrence of a communicable or suspected communicable disease on board.

SUBPART D—VESSELS OR AIRCRAFT SUBJECT TO QUARANTINE INSPECTION

§ 11.46 *General provision.* A vessel or aircraft arriving at a port under the control of the United States, which falls within paragraphs (a) or (b) of this section shall undergo quarantine inspection prior to entry.

(a) A vessel or aircraft arriving from a port not under the control of the United States, except:

(1) Vessels or aircraft operating exclusively between a port under the control of the United States and a port in Canada, Newfoundland, the Islands of St. Pierre and Miquelon, Iceland, Greenland, the West Coast of Lower California, Cuba, the Bahama Islands, the Canal Zone, or the Bermuda Islands.

(2) A vessel which having received pratique at a Canadian port located in the international waters of (i) the Straits of Juan de Fuca, Haro, Georgia, Rosario and the Puget Sound and tributaries and connected waters on the West Coast, or (ii) the Saint Lawrence River and the Great Lakes, and their tributaries and connected waters on the East Coast, travels on the same international waters to a United States port and presents a duplicate copy of the Canadian pratique to the quarantine officer.³

(b) A vessel or aircraft arriving from any port whether or not under the control of the United States, which

(1) Has aboard a person infected or suspected of being infected with a communicable disease, or

(2) Arrives from a port where at the time of departure there was present or suspected of being present cholera, plague, or yellow fever, or where there was significant increase in prevalence of smallpox or typhus at the time the vessel or aircraft touched there.

§ 11.47 *Vessels of armed services.* Vessels belonging to or operated by the armed services of the United States or any foreign nation may, in the discretion of the medical officer in charge, be exempted from quarantine inspection if a commissioned medical officer of such service certifies that:

(a) Any person on board who is infected or suspected of being infected with a communicable disease will be isolated until it is determined whether or not he is infected with a quarantinable disease, and that

(b) The vessel is from a port where at the time of departure there was not present or suspected of being present cholera, plague, or yellow fever, or where there was not a significant increase in the prevalence of smallpox or typhus at the time the vessel touched there.

When it is determined that any person on board such vessels is infected with a quarantinable disease, the vessel and its entire personnel shall be subject to the provisions of Subpart F below.

§ 11.48 *Exempt vessels subject to sanitation regulations.* A vessel which has been exempted from quarantine inspection under §§ 11.46 or 11.47 shall nevertheless be subject to the provisions of Subpart G below.

SUBPART E—GENERAL REQUIREMENT UPON ARRIVAL AT PORTS UNDER CONTROL OF UNITED STATES

§ 11.61 *Applicability.* The measures prescribed in this subpart shall be taken with respect to vessels or aircraft which are subject to quarantine inspection pursuant to Subpart D, and with respect to persons and things arriving on such vessels or aircraft.

§ 11.62 *General provision; vessels only.* A vessel shall fly a yellow flag; anchor in the quarantine anchorage; and await inspection.

² See Subpart H regarding issuance of duplicate pratique by United States Quarantine officers for presentation to quarantine authorities of Canada.

³ Vessels departing from ports under the control of the United States may obtain a port sanitary statement from a medical officer of the U. S. Public Health Service.

§ 11.63 *Quarantine inspection described.* Quarantine inspection of a vessel or aircraft shall include:

(a) Inspection of the vessel or aircraft, its cargo, manifests and other papers, including the Sanitary Log of the vessel, to ascertain the sanitary history and condition of the vessel or aircraft.

(b) Examination of the persons aboard the vessel or aircraft, their personal effects and records.

(c) The determination of the measures necessary to prevent the introduction of a quarantinable disease.

§ 11.64 *Persons; restrictions on boarding vessels.* Only the quarantine officer, quarantine employees, or pilots, shall be permitted to board any vessel subject to quarantine inspection until after it has been inspected by the quarantine officer and granted pratique, except with the permission of the quarantine officer. A person boarding such vessel shall be subject to the same restrictions as those imposed on the persons on the vessel. (Regarding aircraft, see §§ 11.503 and 11.513)

§ 11.65 *Persons; examination.* All persons on board shall be examined, except, that on an approved regular line vessel or aircraft which carries a ship or flight surgeon, such examination may be limited to persons designated by the medical officer in charge.

§ 11.66 *Persons; observation.* Persons may be held under observation on quarantine stations or on vessels in quarantine pursuant to the provisions of Subparts F and K below. Such persons shall not have contact with other persons except by permission of the medical officer in charge.

§ 11.67 *Persons under observation; segregation.* Contact between different groups of persons held under observation is prohibited. Members of groups shall observe such further segregation, to prevent the spread of disease, as the medical officer in charge may determine to be necessary.

§ 11.68 *Persons; release under surveillance.* Persons may be released from quarantine under surveillance pursuant to the provisions of Subpart F below. Such persons shall report to the health authority at the place of destination at such time as prescribed by the medical officer in charge.

§ 11.69 *Restriction on movement of articles.* Articles from a vessel or aircraft shall not be carried into the place of detention except by permission of the medical officer in charge.

§ 11.70 *Furnishing of fresh crew; vessels only.* After a vessel has been rendered free from infection, it may be furnished with a fresh crew and released from quarantine, while all or part of the original personnel are detained.

§ 11.71 *Disinfection of imports.* When the freight manifest of a vessel or aircraft lists articles which may require disinfection, the medical officer in charge shall disinfect them on board or request the Collector of Customs to keep the articles separated from the other freight pending appropriate disposition.

SUBPART F — PARTICULAR REQUIREMENTS UPON ARRIVAL AT PORTS UNDER CONTROL OF UNITED STATES

§ 11.81 *Applicability.* In addition to the requirements of Subpart E, the particular requirements prescribed in this subpart (affecting persons, vessels or aircraft, animals, and other imports) shall be observed with respect to vessels or aircraft which are subject to quarantine inspection under Subpart D.

§ 11.82 *Cholera; vessels or aircraft; things.* (a) A cholera infected vessel or aircraft shall be detained in quarantine until disinfected.

(b) The dejecta of all persons held under observation for cholera shall be disinfected before final disposition.

(c) Personal effects contaminated by dejecta from cholera cases or carriers shall be disinfected. Material capable of conveying infection shall not be removed from the vessel or aircraft until it has been disinfected.

(d) Special precautions, including the destruction or cooking of fruits and vegetables, shall be taken to prevent contamination of food or water supplies of vessels or aircraft.

(e) The water supply of a cholera infected vessel or aircraft shall be disinfected.

§ 11.83 *Cholera; vessels or aircraft; persons.* (a) All persons aboard a vessel or aircraft which is cholera infected or suspected of being so infected or which arrives within five days from a port infected or suspected of being infected with cholera, shall be subjected to such examination as may be necessary to determine their freedom from cholera vibrios or shall be held under observation for five days from last contact.

(b) Persons ill from cholera and all known contacts shall be removed and isolated.

(c) An immune person may be released under surveillance for five days from last contact.

(d) A person determined to be free from cholera vibrios shall be released.

(e) Cholera carriers or recovered cases shall not be released from observation until bacteriological tests are negative for cholera vibrios.

§ 11.84 *Plague; vessels or aircraft; things.* (a) A plague suspected vessel or aircraft shall be detained in quarantine and subjected to measures to determine the presence or absence of plague infection.

(b) A plague infected vessel or aircraft shall be detained in quarantine and immediate measures undertaken for the destruction of rodents and vermin aboard.

(c) A rodent or flea infested vessel from a port infected or suspected of being infected with plague shall be fumigated or otherwise treated as determined by the medical officer in charge.

§ 11.85 *Plague; vessels or aircraft; persons.* (a) Persons ill from plague shall be removed and isolated until no longer infectious.

(b) Persons disembarking may be placed under surveillance for six days from the date of landing.

(c) In the case of pneumonic plague, in addition to the foregoing measures, all contacts shall be isolated for six days from last contact, and the quarters and personal effects of the sick shall be appropriately treated.

§ 11.86 *Smallpox; vessels or aircraft; things.* A vessel or aircraft on which smallpox has occurred en route shall be detained in quarantine until the personal effects of the sick and the compartments occupied by them shall have been disinfected.

§ 11.87 *Smallpox; vessels or aircraft; persons.* (a) Persons ill from smallpox shall be removed and isolated until no longer infectious.

(b) All contacts shall be vaccinated and may be held under observation until the results of the vaccination indicate immunity. Those refusing vaccination shall be held under observation until 14 days have elapsed since the last contact. Other persons not exposed to the infection may be placed under surveillance for 14 days.

§ 11.88 *Typhus; vessels or aircraft; things.* (a) A vessel or aircraft on which typhus has occurred en route shall be detained in quarantine until vermin destruction has been completed.

(b) A vessel or aircraft infected or suspected of being infected with typhus, or a louse-infested vessel or aircraft from a port infected or suspected of being infected with typhus shall be disinfested.

(c) The personal effects and baggage of louse infested persons from incoming vessels or aircraft shall be disinfested prior to release.

§ 11.89 *Typhus; vessels or aircraft; persons.* (a) Persons ill from typhus shall be removed and isolated until no longer infectious.

(b) Non-immune contacts shall be held under observation for 12 days from the last contact.

(c) Immune contacts may be placed under surveillance for 12 days from the last contact.

(d) Vermin free non-contacts may be released without detention and without delousing or disinfestation of baggage or personal effects.

(e) Vermin infested persons shall be immediately disinfested.

§ 11.90 *Yellow fever; vessels only.* (Regarding aircraft, see § 11.513.)

(a) In areas where *Aedes aegypti* mosquitoes exist, an infected or suspected vessel shall be moored not less than 400 meters from the inhabited shore until disinfection has been completed.

(b) An infected or suspected vessel shall be disinfested prior to discharge of cargo.

§ 11.91 *Yellow fever; vessels or aircraft; persons.* (a) Persons from an infected vessel who are ill with yellow fever shall be removed and isolated until no longer infectious.

(b) All non-immune persons aboard shall be detained under observation for six days from the last exposure.

(c) Immune persons shall be released.

SUBPART G—SANITARY INSPECTION: RODENT AND VERMIN CONTROL

§ 11.101 *General.* Vessels or aircraft arriving at a port under the control of the United States from a foreign port shall be subject to sanitary inspection to ascertain whether there exists rodent, vermin or insect infestation or other insanitary condition requiring measures for the prevention of the introduction, transmission or spread of communicable disease.

§ 11.102 *Fumigation and disinfection.* Such vessels or aircraft, or compartments thereof, shall undergo such fumigation and disinfection as the medical officer in charge determines to be necessary.

§ 11.103 *Periodic fumigation; vessels only.* Such vessels shall be fumigated for the destruction of rodents at least once each six months, except that when inspection reveals that rodents are kept under control, an extension of the six months' period shall be granted by issuing a certificate of Deratization Exemption.

§ 11.104 *Vessels in intercoastal and interstate traffic.* Vessels or aircraft engaged in trade between ports under the control of the United States shall be subject to sanitary inspection as described in § 11.101, above, when arriving from a port infected or suspected of being infected with a quarantinable disease or when illness on board indicates unsatisfactory sanitary conditions.

SUBPART H—PRATIQUE: VESSELS ONLY⁴

§ 11.121 *General requirement.* Vessels from a foreign port or place shall not enter a port under the control of the United States to discharge cargo or land passengers unless a certificate of free pratique or provisional pratique has been issued to the master. When it is desired not to comply with the requirements for a certificate of free or provisional pratique, the vessel is at liberty to return to sea if bound for a foreign port.

§ 11.122 *Free pratique.* A certificate of free pratique shall signify that the vessel and its master may enter, discharge cargo, and land passengers.⁵

§ 11.123 *Provisional pratique.* (a) A certificate of provisional pratique shall signify that the vessel may enter, but that additional measures, as specified in such certificate must be taken in connection with the discharge of cargo, or the landing of passengers, or the sanitary condition of the vessel. A certificate of free pratique shall be issued after such additional measures have been completed.

(b) The medical officer in charge may remand the vessel to the next port for such additional measures as may be necessary. Vessels arriving at quarantine

⁴ Regarding release of aircraft, see Subpart K (§§ 11.501-11.516, inclusive).

⁵ A vessel which has received free pratique at a port in the United States located on the international waters described in § 11.46 (a) (2), and which is destined for a Canadian port on the same waters, shall be furnished with a duplicate of such pratique for presentation to Canadian quarantine authorities.

stations at succeeding ports of call under provisional pratique may, in the discretion of the medical officer in charge at such stations, be directed to proceed under provisional pratique to the next succeeding port for completion of quarantine measures.

(c) Failure to comply with additional measures specified in a certificate of provisional pratique shall constitute a violation of §§ 11.1 to 11.156, inclusive, and the vessel shall become subject to all measures applicable to vessels first arriving at a port under the control of the United States from a foreign port.

§ 11.124 *Radio pratique.* The medical officer in charge may grant pratique by radio to a vessel upon the basis of information regarding the vessel, its cargo and persons aboard, received prior to arrival of the vessel, when in his judgment, and in accordance with instructions by the Surgeon General, the entry of the vessel will not result in the introduction, transmission or spread of communicable diseases.

§ 11.125 *Presentation of pratique.* Vessels which have undergone quarantine inspection shall present to the Collector of Customs at the port of entry the certificate of pratique, or evidence of radio pratique, issued pursuant to the provisions of this subpart.

SUBPART I—BORDER QUARANTINE

§ 11.136 *Applicability.* The special provisions of this subpart apply to the entry of persons and things (including conveyances) into the United States by land transit. The Surgeon General may exempt certain areas from these provisions.⁶

§ 11.137 *Ports of entry; inspection.* A person shall not enter except at established ports of entry, and after such inspection by a quarantine officer as the officer deems necessary to carry out the provisions of §§ 11.1 to 11.156, inclusive.

§ 11.138 *General rule.* A person who has, or is suspected of having, a quarantinable disease shall either be denied entry or be placed under observation for the period of incubation of such disease.

§ 11.139 *Particular diseases.* (a) A person coming from a locality where cholera is prevalent shall not enter until (1) it is determined that he is free from cholera vibrios, or (2) he has been under observation for five days since last exposure and is free from the disease.

(b) A person from an endemic yellow fever area who does not present valid evidence of immunity shall be placed under observation or surveillance for six days from last exposure, or shall be refused entry.

(c) A person who does not present valid evidence of a previous attack of smallpox or of a successful vaccination within three years from the date of arrival, shall be vaccinated, or placed under observation for fourteen days from last exposure, or refused entry.

(d) A person from a locality where typhus prevails shall not be allowed to

⁶ The provisions of Subpart I apply at all ports of entry, including border ports.

enter until free from vermin. Persons, wearing apparel, baggage and personal effects shall be disinfested when deemed necessary by the quarantine officer.

§ 11.140 *Disinfestation of things.* Common carriers, merchandise, and baggage or other effects infested or suspected of being infested with vectors of any of the quarantinable diseases shall be disinfested prior to entry into the United States.

SUBPART J—IMPORTATION OF CERTAIN THINGS

§ 11.151 *Lather brushes.* (a) Lather brushes made from animal hair or bristles shall not be permitted entry into any port or place under the control of the United States unless (1) such brushes are permanently marked with the name of the manufacturer or other identifying mark, registered with the Surgeon General, (2) and have been determined by the medical officer in charge, in accordance with the following quarantine procedures, to be free from anthrax spores.

(b) The medical officer in charge shall select samples from each shipment of lather brushes and shall subject such samples to laboratory examinations to determine the presence or absence of anthrax spores. If such examinations indicate that the shipment is free from anthrax spores, the medical officer in charge shall furnish the Collector of Customs a certificate to that effect. If such examinations demonstrate that the shipment is not free from anthrax spores, the medical officer in charge shall notify the Collector of Customs that the shipment shall not be permitted entry.

§ 11.152 *Psittacine birds.* (a) The term psittacine birds shall include all birds commonly known as parrots, amazons, Mexican double heads, African grays, cockatoos, macaws, parakeets, love birds, lories, lorikeets, and all other birds of the psittacine family.

(b) Psittacine birds shall not be brought into the continental United States unless:

(1) The birds are older than eight months, and

(2) The importer has applied on forms prescribed by the Surgeon General for permission to import and has been issued a permit designating the number and species of birds which may be imported, and either

(3) The shipment is destined to a zoological park or research institute, and the Surgeon General is satisfied that necessary detention will be observed at the place of destination, or

(4) The shipment does not exceed two birds, if: The birds are accompanied by the owner, the birds appear to the medical officer in charge to be in good health, and the owner submits a sworn statement that the birds have been in his possession for the preceding two years, have not had contact with other psittacine birds during that period, and will be transported immediately to his private residence and retained there as household pets.

§ 11.153 *Psittacine birds; disposition of excluded birds.* Psittacine birds excluded from entry under §§ 11.1 to 11.156, inclusive, shall be destroyed or deported. Pending deportation they shall be detained under Customs' custody:

(a) Aboard the vessel on which they arrived and the vessel shall be held under provisional pratique, or

(b) At the airport of entry.

§ 11.154 *Pet cats, dogs, and monkeys.* Pet cats, dogs, and monkeys, shall not be brought into the continental United States unless accompanied by a certificate of a consular officer of the United States, or in the case of pets belonging to members of the military forces of the United States, a certificate of a commissioned officer of the medical or veterinary services of such forces, stating that such animal:

(a) Has been immunized with approved rabies vaccine at least thirty days but not more than six months prior to the date of entry, and

(b) Has been physically inspected within ten days prior to departure for the United States, and found apparently free of demonstrable diseases involving emaciation, lesions of the skin, nervous system disturbances, jaundice, or diarrhea.

§ 11.155 *Etiological agents and vectors.* (a) A person shall not import into any place under the control of the United States, nor distribute after importation, any etiologic agent or insect, animal or plant vector of human disease or any exotic living insect, animal or plant capable of being a vector of human disease unless accompanied by a permit issued by the Surgeon General.

(b) An article or thing coming within the provisions of this section shall not be released from Customs' custody prior to the receipt by the Collector of Customs of a permit therefor issued by the Surgeon General.

§ 11.156 *Dead bodies.* The remains of a person dead from a quarantinable disease shall not be brought into a port under the control of the United States unless it is (a) properly embalmed and placed in a hermetically sealed casket, or (b) cremated.

The foregoing regulations shall become effective on May 1, 1946. The existing regulations contained in §§ 11.1 to 11.264, inclusive, of Part 11, and in §§ 16.0 to 16.8, inclusive, of Part 16, Title 42, Code of Federal Regulations, are revoked, and Executive Order No. 5264, January 24, 1930, is superseded, effective May 1, 1946. The revocation of such regulations shall not affect any act done, liability incurred, or any proceedings had or commenced under such regulations.

[SEAL]

THOMAS PARRAN,
Surgeon General.
WATSON B. MILLER,
Federal Security Administrator.

[F. R. Doc. 46-4630; Filed, Mar. 20, 1946; 11:03 a. m.]

PART 16—IMPORTATION OF PARROTS

CROSS REFERENCE: For revocation of §§ 16.0 to 16.8, inclusive, see Part 11 of this chapter, *supra*.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[SO 474]

PART 95—CAR SERVICE

PRIORITY FOR CERTIFIED SEED POTATOES FROM MAINE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of March, A. D. 1946.

It appearing that the Undersecretary of the Department of Agriculture has made representations to the Office of Defense Transportation regarding the urgency for obtaining shipments of certified seed potatoes for planting areas and has requested that Office to take such steps as may be necessary to give priority over table stock potatoes to the distribution of refrigerator cars for the loading of certified seed potatoes to be shipped to planting areas, and has further urged that diversion or reconsignment of refrigerator cars containing certified seed potatoes be restricted; that the Office of Defense Transportation has made similar representations to this Commission; the Commission is of opinion that an emergency which requires immediate action exists in the State of Maine: It is ordered, that:

(a) *Definitions.* (1) The term "common carrier" as used herein means a common carrier by railroad subject to the Interstate Commerce Act; (2) The term "certified seed potatoes" as used herein means potatoes in bags identified by being tagged with an official State of Maine certified seed tag.

(b) *Transportation priority to be given certified seed potatoes.* Each common carrier operating in the State of Maine shall give priority over all other shipper's or consignor's car orders for refrigerator cars to filling such car orders for empty refrigerator cars for the loading of certified seed potatoes to the extent of the daily loading ability of the shipper or consignor at the point of loading, provided the shipper or consignor certifies on the car order for the refrigerator car that such refrigerator car will be loaded with certified seed potatoes; such notation shall be shown on the bill of lading and waybill.

(c) *Diversion, reconsignment, reshipping or rebilling restricted.* No common carrier shall execute, or allow or permit to be executed, any order of reconsignment or diversion of, or permit rebilling or reshipping of, a refrigerator car loaded with certified seed potatoes pursuant to this order.

(d) *Rules, regulations and practices suspended.* The operation of all rules, regulations and practices insofar as they conflict with the provisions of this order, is hereby suspended.

(e) *Other service orders.* Service Order No. 95 (7 F.R. 9257), as amended (8 F.R. 17428; 10 F.R. 15175, 15354), is suspended only insofar as it may conflict with this order.

(f) *Application.* The provisions of this order shall apply to intrastate and

foreign commerce as well as interstate commerce.

(g) *Effective date.* This order shall become effective at 12:01 p. m., March 20, 1946.

(h) *Expiration date.* This order shall expire at 11:59 p. m., May 15, 1946, unless otherwise modified, changed, suspended or annulled by order of this commission. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485, sec. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, that this order and direction shall be served upon the Maine Public Utilities Commission; upon all common carriers operating in the State of Maine; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-4712; Filed, Mar. 20, 1946; 12:00 m.]

TITLE 50—WILDLIFE

Chapter III—International Fisheries Commission

PART 301—PACIFIC HALIBUT FISHERIES

Regulations of the International Fisheries Commission adopted pursuant to the Pacific Halibut Fishery Convention between the United States of America and the Dominion of Canada, signed January 29, 1937.

- Sec.
- 301.1 Regulatory areas.
 - 301.2 Limit of catch in each area.
 - 301.3 Length of closed season.
 - 301.4 Issuance of licenses and conditions limiting their validity.
 - 301.5 Retention of halibut taken with other fish under permit.
 - 301.6 Issuance of permits and conditions limiting their validity.
 - 301.7 Statistical return by vessels.
 - 301.8 Statistical return by dealers.
 - 301.9 Closed small halibut grounds.
 - 301.10 Dory gear prohibited.
 - 301.11 Nets prohibited.
 - 301.12 Responsibility of master.
 - 301.13 Supervision of unloading and weighing.

AUTHORITY: §§ 301.1 to 301.14, inclusive, issued under 50 Stat. 1351.

§ 301.1 *Regulatory areas.* (a) The convention waters shall be divided into, the following areas, all directions given being magnetic.

(b) Area 1A shall include all convention waters southeast of a line running northeast and southwest through Cape Blanco Light, as shown on Chart 5952, published in February, 1935, by the United States Coast and Geodetic Survey, which light is approximately latitude 42°50'14" N., longitude 124°33'45" W.

(c) Area 1B shall include all convention waters between Area 1A and a line running northeast and southwest through Willapa Bay Light on Cape Shoalwater, as shown on Chart 6185, published in July, 1939, by the United States Coast and Geodetic Survey, which light is approximately in latitude 46°43' 17" N., longitude 124°04'15" W.

(d) Area 2 shall include all convention waters off the coasts of the United States of America and of Alaska and of the Dominion of Canada between Area 1B and a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light as shown on Chart 8304, published in June, 1940, by the United States Coast and Geodetic Survey, which light is approximately latitude 58°11'57" N., longitude 136°38'18" W., thence south one-quarter east and is exclusive of the areas closed to all halibut fishing in § 301.9.

(e) Area 3 shall include all the convention waters off the coast of Alaska that are between Area 2 and a straight line running south from the southwestern extremity of Cape Sagak on Umnak Island, at a point approximately latitude 52°49'30" N., longitude 169°07'00" W., according to Chart 8802, published in January, 1942, by the United States Coast and Geodetic Survey, and that are south of the Alaska Peninsula and of the Aleutian Islands and shall also include the intervening straits or passes of the Aleutian Islands.

(f) Area 4 shall include all convention waters which are not included in Areas 1A, 1B, 2, and 3, and in those areas defined in § 301.9.

§ 301.2 Limit of catch in each area.

(a) The catch of halibut to be taken during the halibut fishing season of the year 1946 from Area 2 shall be limited to approximately 24,500,000 pounds of salable halibut, and from Area 3 to approximately 28,000,000 pounds of salable halibut, the weights in each or any such limit to be computed as with heads off and entrails removed.

(b) The catch of halibut to be taken from each area during the halibut fishing season of the year 1946 shall also be limited to halibut which with the head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight, and the possession of any halibut of less than the above length or the above weight, according to whether the head is on or off, by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(c) The International Fisheries Commission shall as early in the said year as is practicable determine the date on which it deems each limit of catch defined in paragraph (a) of this section will be attained, and the limit of each such catch shall then be that which shall be taken prior to said date, and fishing for or catching of halibut in the area or areas to which such limit applies shall at that date be prohibited until after the end of the closed season as defined

and modified in § 301.3, except as provided in § 301.5 and in Article I of the Convention, and provided that if it shall at any time become evident to the International Fisheries Commission that the limit will not be reached by such date, it may substitute another date.

§ 301.3 Length of closed season. (a) Under the authority of Article I of the aforesaid Convention the closed season as therein defined shall be modified so as to end at 12 midnight of the 30th day of April of the year 1946 and of each year thereafter and shall begin at 12 midnight of the 30th day of November of each year unless an earlier date is determined upon for any area under the provisions of paragraph (b) of this section.

(b) Under authority of Article I of the Convention, the closed season as therein defined shall begin in each area on the date on which the limit is reached as provided in paragraph (c) of § 301.2 and the closing of such area or areas shall be taken to have been duly approved unless before the said date either the President of the United States of America or the Governor General of Canada shall have signified his disapproval (the burden of proving any such significance being upon the person alleging it) and provided that the closing date of Area 2 or of Area 3, whichever shall be later, shall apply to Areas 1A and 4, and that the closing date of Area 2 shall apply to Area 1B.

(c) Nothing contained in these regulations shall prohibit the fishing for species of fish other than halibut or prohibit the International Fisheries Commission from conducting fishing operations as provided for in Article I of the Convention.

§ 301.4 Issuance of licenses and conditions limiting their validity. (a) All vessels of any tonnage which shall fish for halibut in any manner or hold halibut in possession in any area, or which shall transport halibut otherwise than as a common carrier documented by the Government of the United States or of Canada for the carriage of freight, must be licensed by the International Fisheries Commission: *Provided*, That vessels of less than five net tons or vessels which do not use set lines need not be licensed unless they shall require a permit as provided in § 301.5.

(b) Each vessel licensed by the International Fisheries Commission shall carry on board at all times while at sea the halibut license thus secured whether it is validated for halibut fishing or endorsed with a permit as provided in § 301.6 and this license shall at all times be subject to inspection by authorized officers of either of said Governments or by representatives of the International Fisheries Commission.

(c) The halibut license shall be issued without fee by the customs officers of either of said Governments or by representatives of the International Fisheries Commission. A new license may be issued by the officer accepting statistical return at any time to vessels which have furnished proof of loss of the license form previously issued, or when there shall

be no further space for record thereon, providing the receipt of statistical return shall be shown on the new form for any halibut or other species taken during or after the voyage upon which loss occurred. The old license form shall be forwarded in each case to the International Fisheries Commission.

(d) The halibut license of any vessel shall be validated before departure from port for each halibut fishing operation for which statistical returns are required. This validation of a license shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area in which the vessel will fish is entered on the license form and unless the provisions of § 301.7 have been complied with for all landings and all fishing operations since issue of the license: *Provided*, That if the master or operator of any vessel shall fail to comply with the provisions of § 301.7, the halibut license of such vessel may be validated by customs officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

(e) The halibut license of any vessel fishing for halibut in Area 1A as defined in § 301.1 after the closure of Areas 1B and 2 must be validated at a port or place within Area 1A prior to each such fishing operation.

(f) No halibut license shall be validated for departure for halibut fishing in Areas 1A or 1B or 2 more than three days, and in Areas 3 or 4 more than five days before the end of the closed season as defined in § 301.3 (a).

(g) No halibut license shall be valid for halibut fishing in more than one area, as defined in § 301.1, during any one trip nor shall it be revalidated for halibut fishing in another such area while the vessel has any halibut on board.

(h) The halibut license shall not be valid for halibut fishing in any area closed to halibut fishing or for the possession of halibut in any area closed to halibut fishing except while in actual transit to or within a port of sale.

(i) The halibut license shall not be valid for halibut fishing in any area while a permit endorsed thereon is in effect, nor shall it be validated while halibut taken under such permit is on board.

(j) The halibut license of any vessel shall not be valid for the possession of any halibut in any area other than that for which validated, if such vessel is in possession of baited gear, except in those waters included within a twenty-five mile radius of Cape Spencer Light, Alaska.

§ 301.5 Retention of halibut taken with other fish under permit. (a) There may be retained for sale on any vessel which shall have a permit as provided in § 301.6 such halibut as is caught incidentally to fishing by that vessel in any area that is closed to halibut fishing under § 301.2 with set lines (of the type commonly used in the Pacific coast halibut

but fishery) for other species, not to exceed at any time one pound of halibut for each seven pounds of salable fish, actually utilized, of other species not including salmon or tuna, and such halibut may be sold as the catch of said vessel, the weight of all fish to be computed as with heads off and entrails removed: *Provided*, That it shall not be a violation of §§ 301.1 to 301.14, inclusive, for any such vessel to have in possession halibut in addition to the amount herein allowed to be sold if such additional halibut shall not exceed thirty per cent of such amount and shall be forfeited and surrendered at the time of landing as provided in paragraph (d) of this section.

(b) The catch of halibut taken and retained under such permit shall be limited to halibut which with the head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight and the possession of any halibut of less than the above length or the above weight, according to whether the head is on or off, by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(c) Halibut retained under such permit shall not be landed or otherwise removed or be received by any person, firm or corporation from the catching vessel until all halibut on board shall have been reported to a customs, fishery or other authorized enforcement officer of either of said Governments by the captain or operator of said vessel and also by the person, firm or corporation receiving the halibut and no halibut or other fish shall be landed or removed or be received from the catching vessel except with the permission of said officer and under such supervision as the said officer may deem advisable.

(d) Halibut retained under such permit shall not be purchased or held in possession by any person other than the master, operator or crew of the catching vessel in excess of the proportion allowed in paragraph (a) of this section until such excess whatever its origin shall have been forfeited and surrendered to the customs, fishery or other authorized officers of either of said Governments. In forfeiting such excess, the vessel shall be permitted to surrender any part of its catch of halibut, provided that the amount retained shall not exceed the proportion herein allowed.

(e) Permits for the retention and landing of halibut in the year 1946 shall become invalid at 12 midnight of the 15th day of November of said year or at such earlier date as the International Fisheries Commission shall determine.

§ 301.6 *Issuance of permits and conditions limiting their validity.* (a) Any vessel which shall be used in fishing for other species than halibut in any area closed to halibut fishing under § 301.2 must have a halibut license and a permit if it shall retain, land or sell any halibut caught incidentally to such fishing or possess any halibut of any origin during such fishing, as provided in § 301.5.

(b) The permit shall be shown by endorsement of the issuing officer on the face of the halibut license form held by said vessel and shall show the area for which the permit is issued.

(c) The permit shall terminate at the time of first landing thereafter of fish of any species and a new permit shall be secured before any subsequent fishing operation for which a permit is required.

(d) A permit shall not be issued to any vessel which shall have halibut on board taken while said vessel was licensed to fish in an open area unless such halibut shall be considered as taken under the issued permit and as thereby subject to forfeiture when landed if in excess of the proportion permitted in paragraph (a) of § 301.5.

(e) A permit shall not be issued to, or be valid if held by, any vessel which shall fish with other than set lines of the type commonly used in the Pacific coast halibut fishery.

(f) The permit of any vessel shall not be valid unless the permit is granted before departure from port for each fishing operation for which statistical returns are required. This granting of a permit shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area in which the vessel will fish is entered on the halibut license form and unless the provisions of § 301.7 have been complied with for all landings and all fishing operations since issue of the license or permit: *Provided*, That if the master or operator of any vessel shall fail to comply with the provisions of § 301.7, the permit of such vessel may be granted by customs officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

(g) The permit of any vessel shall not be valid if said vessel shall have in its possession at any time halibut in excess of the amount allowed under paragraph (a) of § 301.5.

§ 301.7 *Statistical return by vessels.*

(a) Statistical return as to the amount of halibut taken during fishing operations must be made by the master or operator of any vessel licensed under these regulations and as to the amount of halibut and other species by the master or operator of any vessel operating under permit as provided for in §§ 301.5 and 301.6, within 48 hours of landing, sale or transfer of halibut or of first entry thereafter into a port where there is an officer authorized to receive such return.

(b) The statistical return must state the port of landing and in the amount of each species taken within the area defined in these regulations, for which the vessel's license is validated.

(c) The statistical return must include all halibut landed or transferred to other vessels and all halibut held in possession on board and must be full, true and correct in all respects herein required. A

copy of such return must be forwarded to the International Fisheries Commission at such times as the latter shall require.

(d) The master or operator and/or any person engaged on shares in the operation of any vessel licensed or holding a permit under these regulations may be required by the International Fisheries Commission or by any officer of either of said Governments authorized to receive such return to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement. Validation of a halibut license or issuance of a permit after such sworn return is made shall be provisional and shall not render the license or permit valid in case the return shall later be shown to be false or fraudulently made.

(e) The master or operator of any vessel holding a license or permit under these regulations shall keep an accurate log of all fishing operations including therein date, locality, amount of gear used, and the amount of halibut taken daily in each such locality. This log record shall be open to inspection of representatives of the International Fisheries Commission authorized for this purpose.

(f) The master, operator and/or any other person engaged on shares in the operation of any vessel licensed under these regulations may be required by the International Fisheries Commission or by any officer of either of said Governments to certify to the correctness of such log record to the best of his information and belief and to support the certificate by a sworn statement.

§ 301.8 *Statistical return by dealers.*

(a) All persons, firms or corporations that shall buy halibut or receive halibut for any purpose from fishing or transporting vessels or other carrier shall keep and on request furnish to customs officers or to any enforcing officer of either of said Governments or to representatives of the International Fisheries Commission, records of each purchase or receipt of halibut, showing date, locality, name of vessel, person, firm or corporation purchased or received from and the amount in pounds according to trade categories of the halibut and other species landed with the halibut.

(b) All persons, firms or corporations receiving fish from a vessel fishing under permit as provided in § 301.5 shall within 48 hours make to an authorized enforcing officer of either of said Governments a signed statistical return showing the date, locality, name of vessel received from and the amount of halibut and of other species landed with the halibut and certifying that permission to receive such fish was secured in accordance with paragraph (c) of § 301.5. Such persons, firms, or corporations may be required by any officer of either of said Governments to support the accuracy of the above signed statistical return with a sworn statement.

(c) All records of all persons, firms or corporations concerning the landing, purchase, receipt and sale of halibut and

other species landed therewith shall be open at all times to inspection of any enforcement officer of either of said Governments or of any authorized representative of the International Fisheries Commission. Such persons, firms or corporations may be required to certify to the correctness of such records and to support the certificate by a sworn statement.

(d) The possession by any person, firm or corporation of halibut which such person, firm or corporation knows to have been taken by a vessel without a valid halibut license or a vessel without a permit when such license or permit is required, is prohibited.

§ 301.9 Closed small halibut grounds.

(a) The following areas have been found to be populated by small, immature halibut and are hereby closed to all halibut fishing and the possession of halibut of any origin is prohibited therein during fishing for other species.

(b) First, that area in the waters off the coast of Alaska within the following boundary as stated in terms of the magnetic compass unless otherwise indicated: From the north extremity of Cape Ulitka, Noyes Island, approximately latitude 55°33'48" N., longitude 133°43'35" W., to the south extremity of Wood Island, approximately latitude 55°39'44" N., longitude 133°42'29" W.; thence to the east extremity of Timbered Islet, approximately latitude 55°41'47" N., longitude 133°47'42" W.; thence to the true west extremity of Timbered Islet, approximately latitude 55°41'46" N., longitude 133°48'01" W.; thence southwest three-quarters south sixteen and five-eighths miles to a point approximately latitude 55°34'46" N., longitude 134°14'40" W.; thence southeast by south twelve and one-half miles to a point approximately latitude 55°22'23" N., longitude 134°12'48" W.; thence northeast thirteen and seven-eighths miles to the southern extremity of Cape Addington, Noyes Island, latitude 55°26'11" N., longitude 133°49'12" W.; and to the point of origin on Cape Ulitka. The boundary lines herein indicated shall be determined from Chart 8157, as published by the United States Coast and Geodetic Survey at Washington, D. C., in June, 1929, and Chart 8152, as published by the United States Coast and Geodetic Survey at Washington, D. C., in March, 1933, and reissued March, 1939, except for the point of Cape Addington which shall be determined from Chart 8158, as published by the United States Coast and Geodetic Survey in December, 1923, provided that the duly authorized officers of the United States of America may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such mark or marks shall thereafter be considered as correctly defining said boundary.

(c) Second, that area lying in the waters off the north coast of Graham Island, British Columbia, within the following boundary: from the northwest extremity of Wiah Point, latitude 54°06'

50" N., longitude 132°19'18" W., true north five and one-half miles to a point approximately latitude 54°12'20" N., longitude 132°19'18" W.; thence true east approximately sixteen and three-tenths miles to a point which shall lie northwest (according to magnetic compass at any time) of the highest point of Tow Hill, Graham Island, latitude 54°04'24" N., longitude 131°48'00" W.; thence southeast to the said highest point of Tow Hill. The points on the shoreline of the above mentioned island shall be determined from Chart 3754, published at the Admiralty, London, April 11, 1911, provided that the duly authorized officers of the Dominion of Canada may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such marks shall thereafter be considered as correctly defining said boundary.

§ 301.10 *Dory gear prohibited.* The use of any hand gurdy or other appliance in hauling halibut gear by hand power in any dory or small boat operated from a vessel licensed under the provisions of these regulations is prohibited in all convention waters.

§ 301.11 *Nets prohibited.* It is prohibited to retain halibut taken with a net of any kind or to have in possession any halibut while using any net or nets other than bait nets for the capture of other species of fish, nor shall any license or permit held by any vessel under these regulations be valid during the use or possession on board of any net or nets other than bait nets which are utilized for no other purpose than the capture of bait for said vessel.

§ 301.12 *Responsibility of master.* Wherever in this part any duty is laid upon any vessel, it shall be the personal responsibility of the master or operator of said vessel to see that said duty is performed and he shall personally be responsible for the performance of said duty. This provision shall not be construed to relieve any member of the crew of any responsibility with which he would otherwise be chargeable.

§ 301.13 *Supervision of unloading and weighing.* The unloading and weighing of the halibut of any vessel licensed or holding a permit under this part shall be under such supervision as the customs or other authorized officer may deem advisable in order to assure the fulfillment of the provisions of this part.

§ 301.14 *Previous regulations superseded.* This part shall supersede all previous regulations adopted pursuant to the Convention between the United States of America and the Dominion of Canada for preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, signed January 29, 1937, except as to offenses occurring prior to the approval of this part. This part shall be effective as to each succeeding year, with the dates herein specified changed accordingly, until superseded by subsequently approved regulations. Any termination made by the International

Fisheries Commission pursuant to this part shall become effective immediately.

EDWARD W. ALLEN,
Chairman.

A. J. WHITMORE,
CHARLES E. JACKSON,
G. W. NICKERSON,
Secretary.

Approved: March 6, 1946.

HARRY S. TRUMAN.

[F. R. Doc. 46-4627; Filed, Mar. 20, 1946;
9:31 a.m.]

Notices

TREASURY DEPARTMENT.

Office of the Secretary.

[1946 Dept. Circ. 786]

7/8 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES D-1947

OFFERING OF CERTIFICATES

MARCH 20, 1946.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invited subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated 7/8 percent Treasury Certificates of Indebtedness of Series D-1947, in exchange for Treasury Certificates of Indebtedness of Series C-1946, maturing April 1, 1946. Approximately \$2,000,000,000 of the maturing certificates will be retired on cash redemption.

II. *Description of certificates.* 1. The certificates will be dated April 1, 1946, and will bear interest from that date at the rate of 7/8 percent per annum, payable semiannually on October 1, 1946, and April 1, 1947. They will mature April 1, 1947, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000, and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the

Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including \$25,000 will be allotted in full, and subscriptions for amounts over \$25,000 will be allotted to all holders on an equal percentage basis, but not less than \$25,000 on any one subscription. The basis of the allotment will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before April 1, 1946, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series C-1946, maturing April 1, 1946, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. as fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] O. MAX GARDNER,
Acting Secretary of the Treasury.

[F. R. Doc. 46-4636; Filed, Mar. 20, 1946;
11:15 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-610 and G-701]

TENNESSEE GAS AND TRANSMISSION CO.
ORDER CONSOLIDATING PROCEEDINGS AND
FIXING DATE OF HEARING

MARCH 14, 1946.

Upon consideration of the following applications filed by Tennessee Gas and Transmission Company (Applicant) for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended;

(a) Application filed February 11, 1946, (Docket No. G-701) for authority to construct and operate the following described facilities:

No. 56—6

(1) Approximately 400 miles of 26-inch O. D. x $\frac{3}{32}$ " and approximately 10 miles of 24-inch O. D. x $\frac{1}{4}$ " main line loop at intervals along Applicant's existing 24-inch O. D. main transmission pipeline, involving construction in the States of Louisiana, Mississippi, Tennessee and Kentucky.

(2) Three new compressor stations, to be located in Victoria and Montgomery Counties, Texas, and Natchitoches Parish, Louisiana, for a total of 25,000 installed horsepower.

(3) In existing compressor stations, 18 new compressor units totalling 19,000 horsepower, involving construction in the States of Louisiana, Mississippi, Tennessee and Kentucky.

(b) Application filed November 5, 1945, as amended March 14, 1946, (Docket No. G-610) for authority to operate its existing facilities for the delivery of natural gas to the Taylor-Green Gas Company of its natural-gas requirements.

It appears to the Commission that: Good cause exists for consolidating the above matters for purposes of hearing;

The Commission orders that:

(A) The proceedings in Docket Nos. G-610 and G-701 be and they are hereby consolidated for the purposes of hearing;

(B) A public hearing be held with respect to the matters involved and the issues presented in the consolidated proceedings beginning on April 8, 1946, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.;

(C) Interested State commissions may participate in this hearing in accordance with § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-4626; Filed, Mar. 20, 1946;
9:30 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5408]

THE MEGA-EAR-PHONE

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of March, A. D. 1946.

In the matter of Edward Baum, an individual, trading under his own name and as The Mega-Ear-Phone.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Henry P. Alden, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, April 10, 1946, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 3056, William Penn Annex, United States Post Office, 9th and Chestnut Streets, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of fact; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-4637; Filed, Mar. 20, 1946;
11:15 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3135, Amdt.]

EDWIN F. KNOWLTON

In re: Trusts under the last will and testament of Edwin F. Knowlton, deceased; File No. D-28-2542; E. T. sec. 3758.

Vesting Order Number 3135, dated February 15, 1944, is hereby amended as follows and not otherwise:

By deleting the words "Eddy Sierstorpff" wherever they appear in said vesting order, and substituting therefor the words "Edwin Adalbert Graf von Francken-Sierstorpff", and

By deleting the words "Constance Sierstorpff" wherever they appear in said vesting order, and substituting therefor the words "Constance Ida Francken-Sierstorpff".

All other provisions of said Vesting Order Number 3135 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on February 7, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4574; Filed, Mar. 19, 1946;
12:14 p. m.]

[Vesting Order 5729]

ALLGEMEINE DEUTSCHE CREDIT-ANSTALT

In re: Bank account owned by Allgemeine Deutsche Credit-Anstalt.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Allgemeine Deutsche Credit-Anstalt, the last known address of which is Filiale Chemnitz, Schliessfach 71, Chemnitz, Germany, is a national of a designated enemy country (Germany);
2. That the property described as follows: That certain debt or other obliga-

tion owing to Allgemeine Deutsche Credit-Anstalt, by Irving Trust Company, 1 Wall Street, New York, New York, arising out of a checking account, entitled Allgemeine Deutsche Credit Anstalt, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4575; Filed, Mar. 19, 1946;
12:15 p. m.]

[Vesting Order 5730]

ALLGEMEINE DEUTSCHE CREDIT-ANSTALT

In re: Bank account owned by Allgemeine Deutsche Credit-Anstalt.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Allgemeine Deutsche Credit-Anstalt, the last known address of which is Schliessfach Nr. 91, Leipzig C. 1, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Allgemeine Deutsche Credit-Anstalt, by Irving Trust Company, 1 Wall Street, New York, New York, arising out of a checking account, entitled Allgemeine Deutsche Credit-Anstalt, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4576; Filed, Mar. 19, 1946;
12:15 p. m.]

[Vesting Order 5752]

GEBRUEDER BETHMANN

In re: Bank account owned by Gebrueder Bethmann.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Gebrueder Bethmann, the last known address of which is Schliessfach No. 1, Frankfurt/Main 1, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Gebrueder Bethmann, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, Account Number 269, entitled Gebrueder Bethmann, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions; nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date

hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4577; Filed, Mar. 19, 1946;
12:15 p. m.]

[Vesting Order 5790]

DEUTSCHE MERCURBANK

In re: Bank account owned by Deutsche Mercurbank.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Deutsche Mercurbank, the last known address of which is Berlin, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Mercurbank, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Bills Payable Register Account, entitled Deutsche Mercurbank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the

power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 1, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4578; Filed, Mar. 19, 1946;
12:15 p. m.]

[Vesting Order 5791]

DEUTSCHE REICHSBANK

In re: Bank account owned by Deutsche Reichsbank.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Deutsche Reichsbank, the last known address of which is Berlin, C 111, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Reichsbank, by Manufacturers Trust Company, 55 Broad Street, New York, New York, arising out of a dollar account, entitled Reichsbank Direktorium Divisen Abteilung, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the in-

terest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 1, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4579; Filed, Mar. 19, 1946;
12:15 p. m.]

[Vesting Order 5799]

EMDEN GEWERBEBANK

In re: Bank account owned by Emden Gewerbebank.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Emden Gewerbebank, the last known address of which is Emden, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Emden Gewerbebank, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Bills Payable Register Account, entitled Emden Gewerbebank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a

national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 1, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4580; Filed, Mar. 19, 1946;
12:15 p. m.]

[Vesting Order 5808]

ADOLF GLEUE

In re: Bank account owned by Adolf Gleue.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Adolf Gleue, the last known address of which is Sprinkenhof, 7er Stock, Burchardstr. 8, Hamburg, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Adolf Gleue, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, Account Number 957, entitled Adolf Gleue, and any and all

rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4581; Filed, Mar. 19, 1946;
12:15 p. m.]

[Vesting Order 5810]

GEBRUEDER BREHMER

In re: Bank account owned by Ludolf Golditz, doing business as Gebrueder Brehmer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Ludolf Golditz, doing business as Gebrueder Brehmer, whose last known address is Leipzig W. Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Ludolf Golditz, doing business as Gebrueder Brehmer, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, entitled Gebrueder Brehmer, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4582; Filed, Mar. 19, 1946;
12:15 p. m.]

[Vesting Order 5811]

HALLESCHER BANKVEREIN, VON KULISCH, KAEMPF & CO., KOMM. GES. AUF AKTIEN

In re: Bank account owned by Hallescher Bankverein von Kulisch, Kaempff & Co., Komm. Ges. auf Aktien.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hallescher Bankverein, von Kulisch, Kaempff & Co., Komm. Ges. auf Aktien, the last known address of which is Grosse Steinstrasse 75, Halle, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Hallescher Bankverein, von Kulisch, Kaempff & Co., Komm. Ges. auf Aktien, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Bills Payable Register Account, entitled Hallescher Bankverein, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute

an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4583; Filed, Mar. 19, 1946;
12:16 p. m.]

[Vesting Order 5816]

HEIDELBERGER PRIVATBANK

In re: Bank account owned by Heidelberg Privatbank.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heidelberg Privatbank, the last known address of which is Heidelberg, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Heidelberg Privatbank, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Bills Payable Register Account, entitled Heidelberg Privatbank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or any acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4584; Filed, Mar. 19, 1946;
12:16 p. m.]

[Vesting Order 5832]

Fritz Albert Kestner

In re: Bank account owned by Fritz Albert Kestner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Fritz Albert Kestner, whose last known address is Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Hermann Bosch, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Compound Interest Department account, Account Number A-99201, entitled Hermann Bosch as Guardian for Fritz Albert Kestner, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control, by, Fritz Albert Kestner, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 6, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4585; Filed, Mar. 19, 1946;
12:16 p. m.]

[Vesting Order 5833]

SHIGEHIRO KITADAI

In re: Bank account owned by Shigehiro Kitadai.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Shigehiro Kitadai, whose last known address is Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Shigehiro Kitadai, by Empire Trust Company, 120 Broadway, New York, New York, arising out of a dollar account, entitled Shigehiro Kitadai, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be

held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 6, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4586; Filed, Mar. 19, 1946;
12:16 p. m.]

[Vesting Order 5840]

WILLIAM KRAUSE

In re: Bank account owned by William Krause.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That William Krause, whose last known address is Essen West, Vesterstrasse 9-3Etg., Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to William Krause, by The Marine Midland Trust Company of New York, 120 Broadway, New York, New York, arising out of a Dividends Due Foreigners Withheld under Federal Regulation Account, entitled William Krause, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 6, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4587; Filed, Mar. 19, 1946;
12:17 p. m.]

[Vesting Order 5841]

ERNST KRETSCHMAR

In re: Bank account owned by Ernst Kretschmar.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Ernst Kretschmar, whose last known address is Mockethal 24 C, Pirna, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Ernst Kretschmar, by Empire Trust Company, 120 Broadway, New York, New York, arising out of a thrift account, Account Number 11157, entitled Ernst Kretschmar, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 6, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4588; Filed, Mar. 19, 1946;
12:17 p. m.]

[Vesting Order 5846]

W. LANDGRAF

In re: Bank account owned by W. Landgraf.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That W. Landgraf, whose last known address is % The National City

Bank of New York, Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to W. Landgraf, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a compound interest department account, Account Number A7988, entitled W. Landgraf, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 6, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4589; Filed, Mar. 19, 1946;
12:17 p. m.]

[Vesting Order 5848]

LENTZ & HIRSCHFELD

In re: Bank account owned by Lentz & Hirschfeld.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Lentz & Hirschfeld, the last known address of which is Bremen, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Walter Heidmann, by The Marine Midland Trust Company of New York, 120 Broadway, New York, New York, arising out of a checking account, entitled Walter Heidmann in Trust for (or for account of) Lentz & Hirschfeld, Bremen, Germany, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Lentz & Hirschfeld, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 6, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4590; Filed, Mar. 19, 1946;
12:17 p. m.]

[Vesting Order 5849]

SOPHIE LEUKART AND AMELIA GROM
HOLZMANN

In re: Bank account owned by Sophie Leukart, nee Haberle and Amelia Grom Holzmann, also known as Emilie Holzmann.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Sophie Leukart, nee Haberle and Amelia Grom Holzmann, also known as Emilie Holzmann, whose last known addresses are Ebingen, Wurttemberg, Germany and Hermentingen, Kreis Sigmaringen, Germany, respectively, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Sophie Leukart, nee Haberle and Amelia Grom Holzmann, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled Mrs. Sophie Haberle and Mrs. Amelia Grom, Carlos A. Hepp, Attorney-in-fact, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the law-

fulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 6, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4591; Filed, Mar. 19, 1946;
12:17 p. m.]

[Vesting Order 5859]

LOUISA MESSERER, ET AL.

In re: Bank account owned by Louisa Messerer, Hans Messerer, and Nelly Messerer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Louisa Messerer, Hans Messerer and Nelly Messerer, whose last known addresses are respectively Bollmannstr. 43, Bremen, Germany; Billsestr. 20, Bremen, Germany and Olberstr. 22, Bremen, Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Louisa Messerer, Hans Messerer, and Nelly Messerer, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an inactive dollar checking account, entitled Miss Louisa Messerer et al., Carlos A. Hepp, Attorney-in-fact, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law,

including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 7, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4592; Filed, Mar. 19, 1946;
12:17 p. m.]

[Vesting Order 5860]

B. METZLER SEEL SOHN & CO.

In re: Bank account owned by B. Metzler Seel Sohn & Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That B. Metzler Seel Sohn & Co., the last known address of which is Frankfurt am Main, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to B. Metzler Seel Sohn & Co., by Manufacturers Trust Company, 55 Broad St., New York, New York, arising out of a dollar account, entitled B. Metzler Seel Sohn & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 7, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4593; Filed, Mar. 19, 1946;
12:17 p. m.]

[Vesting Order 5871]

KAZUO NISHI

In re: Bank account owned by Kazuo Nishi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 241, dated October 19, 1942, that Kazuo Nishi is a national of a designated enemy country (Japan);

2. Finding that the property described as follows: That certain debt or other obligation owing to Kazuo Nishi, by Empire Trust Company, 120 Broadway, New

No. 56—7

York, New York, arising out of a dollar account, entitled Kazuo Nishi, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4594; Filed, Mar. 19, 1946;
12:18 p. m.]

[Vesting Order 5877]

SAIICHI OKADA

In re: Bank account owned by Saichi Okada.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That Saichi Okada, whose last known address is Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Saichi Okada, by Empire Trust Company, 120 Broadway, New York, New York, arising out of a dollar account, entitled Saichi Okada, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4595; Filed, Mar. 19, 1946;
12:18 p. m.]

[Vesting Order 5887]

MESSRS. CARL F. PLUMP & CO.

In re: Bank account owned by Messrs. Carl F. Plump & Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Messrs. Carl F. Plump & Co., the last known address of which is Postfach 100 Bremen, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Messrs. Carl F. Plump & Co., by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled Messrs. Carl F. Plump & Co. and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4596; Filed, Mar. 19, 1946;
12:18 p. m.]

[Vesting Order 5888]

LEONHARD PREISSLER

In re: Bank account owned by Leonhard Preissler.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Leonhard Preissler, whose last known address is Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Leonhard Preissler, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled Leonhard Preissler, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property

Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-4597; Filed, Mar. 19, 1946;
12:18 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[SR 15, Order 25]

METZGER'S DEPENDABLE WAX PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 25 under § 1499.75 (a) (18) of Supplementary Regulation 15 to General Maximum Price Regulation. Docket No. 6082-SR15.75 (a) (18)-65. Adjustment of maximum prices.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.75 (a) (18) of Supplementary Regulation 15 to General Maximum Price Regulation; *It is ordered:*

(a) The maximum adjusted prices for sales of cement floor wax and paste wax in the sizes and colors set forth below manufactured by the Metzger's Dependable Wax Products, Los Angeles 4, California, are established as follows:

Product	Quantity	Case	On sales to—	
			Re-tailers	Consumers
Cement floor wax.	Pints.....	24	Per case \$14.40	Each \$0.95
	Quarts.....	12	12.00	1.60
	Gallons.....	4	14.80	5.70
Paste Wax....	1 lb.....	12	4.00	.54
	2 lbs.....	12	7.40	.95
	6 lbs.....	4	7.00	2.75
	1 lb., colored.....	12	5.40	.75
	2 lbs., colored.....	12	10.20	1.20
	30 lbs.....	1	(1)	(1)

1 On sales to industrial users: \$8.40 per case.

These adjusted ceiling prices are subject to the same freight and trade practices that prevailed immediately prior to the issuance of this order.

(b) With or prior to the first delivery of any of the aforesaid commodities in any of their various sizes or colors to a retailer, or industrial user, the manufacturer shall furnish such retailer or industrial user with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(c) Prior to making any delivery of the aforesaid commodities after the effective date of this order, the manufac-

turer shall mark or cause to be marked thereon the following legend:

Maximum Retail Price—\$-----

The blank in the quoted phrase shall be filled with the applicable maximum retail price.

This order shall be effective immediately.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4562; Filed, Mar. 19, 1946;
11:33 a. m.]

[Rev. SO 119, Order 118]

CRANE AND MACMAHON INC.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* Crane and MacMahon, Incorporated, St. Mary's, Ohio, may compute its adjusted ceiling prices for all articles of wood bedroom furniture which it manufactures, as follows:

(1) For an article in its line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser increased by 37.9 per cent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188 and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Reseller's ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum price as follows:

(1) A retailer who must determine his ceiling price under Maximum Price Regulation No. 580 by the use of a pricing chart, and a wholesaler who must determine his ceiling price under Maximum Price Regulation No. 590 shall compute their ceiling prices in the manner provided by those regulations. However, if the supplier's invoice states both an "unadjusted maximum price" and a selling

price, the reseller shall compute his ceiling prices under those regulations as they have been modified by Order No. 4800 under Maximum Price Regulation No. 188.

(2) A reseller who determines his maximum resale price under the General Maximum Price Regulation, and whose supplier's invoice states both an "unadjusted maximum price" and a selling price, shall compute his ceiling prices under the regulation as modified by Order No. 4800 under Maximum Price Regulation No. 188.

If his supplier's invoice does not state an "unadjusted maximum price" the reseller shall calculate his ceiling price by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942 as amended remains in effect. If the maximum resale price cannot be determined under the above the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter properly established under OPA regulation.

(d) *Invoices to purchasers for resale.* Any person making a sale of an article covered by this order to a purchaser for resale at a maximum price adjusted under this order must furnish such purchaser with an invoice containing the information required by section 14 of Order No. 4800 under Maximum Price Regulation No. 188.

(e) All requests for adjustment of maximum prices not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on March 20, 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4563; Filed, Mar. 19, 1946;
11:35 a. m.]

[Rev. SO 119, Order 119]

DWYER PRODUCTS CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 119 under Revised Supplementary Order No. 119. Adjustment of maximum prices of package kitchen units manufactured by the Dwyer Products Corporation of Calumet and Holli-day Streets, Michigan City, Indiana. 6123-RSO-119.21.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Dwyer Products Corporation of Michigan City, Indiana.* (1) The above manufacturer may determine his maximum prices for his line of Package Kitchen Units by increasing by 19.9 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 119 under Revised Supplementary Order No. 119 authorizes a 19.9 percent increase in October 1, 1941 net prices for sales of package kitchen units manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents

Increase in cost resulting from the adjustment granted by Order No. 119.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective March 20, 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4569; Filed, Mar. 19, 1946;
11:33 a. m.]

[Rev. SO 119, Order 120]

DWYER PRODUCTS CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 120 under Revised Supplementary Order No. 119. Adjustment of maximum prices of steel boiler jackets manufactured by the Dwyer Products Corporation of Calumet and Holliday Streets, Michigan City, Indiana. 6123-RSO 119.21.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Dwyer Products Corporation of Michigan City, Indiana.* (1) The above manufacturer may determine his maximum prices for his line of Steel Boiler Jackets by increasing by 16.7 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after

the adjustment granted by this order is put into effect:

Order No. 120 under Revised Supplementary Order No. 119 authorizes a 16.7 percent increase in October 1, 1941 net prices for sales of steel boiler jackets manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 120.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective March 20, 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4570; Filed, Mar. 19, 1946;
11:35 a. m.]

[SO 142, Order 49]

H. K. PORTER, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 49 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. H. K. Porter, Inc. (Docket No. 6083-SO 142-136-123).

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 2 of Supplementary Order No. 142, it is ordered:

(a) The maximum prices for sales by H. K. Porter, Inc., Everett, Massachusetts, shall be determined by increasing by 15.1% the maximum prices in effect for these products just prior to the issuance of this order.

Producer and address	Mine name	Mine index No.	Location and name of preparation plant through which the coals are prepared
Milsom Coal Co., Philipsburg, Pa.	Milsom No. 1. Milsom No. 2. Milsom No. 3.	5395 5685 5666	Milsom Coal Company's Osceola Mills Preparation Plant at Osceola Mills, Pa., on the Pennsylvania R. R.

This Amendment No. 13 to Order No. 1548 under Maximum Price Regulation No. 120 shall become effective March 20, 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4563; Filed, Mar. 19, 1946;
11:35 a. m.]

[MPR 188, Order 15 Under Order 6]

DIEHL MFG. CO.

APPROVAL OF UNIFORM RETAIL CEILING PRICE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 4 (a) of Order No. 6 under § 1499.159e of Maximum

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the dollar-and-cents amounts by which his net invoiced costs have been increased by reason of this order.

(c) The H. K. Porter, Inc., shall notify each purchaser, who buys the products listed in paragraph (a) above for resale of the dollar-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 20, 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4571; Filed, Mar. 19, 1946;
11:34 a. m.]

[MPR 120, Amdt. 13 to Order 1548]

ELLIOT COAL MINING CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) of Maximum Price Regulation No. 120, it is ordered:

Order No. 1548 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

Paragraph (a) is amended by adding thereto the following in the manner indicated:

Article	Catalogue No.	Uniform retail ceiling price (inclusive of Federal excise tax)
Singer ribbonaire fan....	106	\$7.45

(b) On and after the effective date of this order the manufacturer may not deliver to a purchaser for resale an article for which a uniform retail ceiling price is

fixed by this order unless there is attached to it a retail price tag or label stating the manufacturer's name or brand name, the model number or designation and the uniform retail ceiling price fixed by this order.

(c) Except as modified by this order, all provisions of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188 apply to all persons and to all sales and deliveries of the article covered by this order.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of March 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4564; Filed, Mar. 19, 1946;
11:35 a. m.]

Article	Model	Maximum prices for sales by any seller to—						
		Wholesale- ers mill, electric, motor, restaurant and hotel store equipment	Drop- ship job- bers	Retail- ers (3 units or more)	Retail- ers (less than 3 units)	Industrial commercial insti- tutional users 3 units or more	Industrial commercial insti- tutional users less than 3 units	Users other than indus- trial, com- mercial or insti- tutional
30" pedestal floor fan.....	30BH	Each \$85.50	Each \$92.34	Each \$102.60	Each \$111.15	Each \$128.25	Each \$145.35	Each \$171.00
30" counter type fan.....	30BL	73.38	79.20	88.00	95.38	110.06	124.74	146.75
30" high pedestal fan.....	30AH	73.38	79.20	88.00	95.39	110.06	124.74	146.75
30" counter type fan mancooler.	30AL	73.38	79.20	88.00	95.38	110.06	124.74	146.75

These maximum prices are for the articles described in the manufacturer's application dated September 29, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are net 30 days. Only the exact amount of Federal Excise Tax that the particular seller is required to pay may be added to the above prices.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail prices properly filled in:

Model No. -----
OPA Ceiling Prices to Users Other Than In-
dustrial, Commercial or Institutional—\$-----
Do Not Detach or Obliterate

[MPR 188, Rev. Order 4736]

E. M. MIMMS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

Order No. 4736 under § 1499.158 of Maximum Price Regulation No. 188 is amended and revised as follows:

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by E. M. Mimms, 1013 Broadway, Louisville 4, Kentucky.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
3-way plated and Swedish modern wood floor lamp, chrome, copper or brass finish with 19" fabric shade.	1000 and 1001, series A.	\$12.32	\$14.50	\$26.10
6-way plated floor lamp, statuary bronze, gold or ivory finish, containing 5" onyx insert with 19" rayon shade.	1003.....	18.57	19.50	35.10
6-way plated floor lamp, statuary bronze, gold or ivory finish, containing 5" onyx insert with 19" rayon shade.	1007.....	14.02	16.50	29.70
3-way plated floor lamp, statuary bronze, gold or ivory finish with 19" rayon shade.	1008.....	11.86	13.95	25.10

These maximum prices are for the articles described in the manufacturer's application dated January 30, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

[MPR 188, Order 4913]

GOLDEN STATE LAMP & SHADE MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Golden State Lamp & Shade Manufacturing Company, 855 Folsom Street, San Francisco 7, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 20th day of March 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4566; Filed, Mar. 19, 1946;
11:33 a. m.]

[MPR 64, Amdt. 1 to Order 173]

COMSTOCK-CASTLE STOVE CO.

APPROVAL OF MAXIMUM RESALE PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered*, That Order No. 173 under section 11 of Maximum Price Regulation No. 64 be, and the same hereby is revised and amended in the following respect:

1. Paragraph (a) (3) is added to read as follows:

(3) For the purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Illinois.

Zone 2: Minnesota, Iowa, Nebraska, Kansas, Oklahoma, Missouri, Arkansas, Wisconsin, Tennessee, Mississippi, Michigan, Indiana, Kentucky, Alabama, Ohio, Georgia, New York, Pennsylvania, West Virginia, North Carolina, South Carolina, Virginia, Maryland, District of Columbia, Delaware, and New Jersey.

Zone 3: Connecticut, Massachusetts, Vermont, New Hampshire, Rhode Island, Maine, Florida, Louisiana, Texas, New Mexico, Colorado, Wyoming, South Dakota, and North Dakota.

Zone 4: Montana, Idaho, Utah, Arizona, Nevada, Oregon, Washington, and California.

This amendment shall become effective on the 20th day of March 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4612; Filed, Mar. 19, 1946;
4:37 p. m.]

[MPR 64, Amdt. 1 to Order 207]

HARRY C. WEISKITTEL CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered*, That Order No. 207 under section 11 of Maximum Price Regulation No. 64 be, and it hereby is, amended in the following respects:

1. The first sentence of paragraph (a) is amended to read: This order establishes maximum prices for sales at retail of certain gas ranges, listed below, manufactured by Harry C. Weiskittel Co., Inc., of 4601 Pulaski Highway, Baltimore, Maryland.

2. The table of maximum prices in paragraph (a) is amended to read as follows:

Model	Maximum prices for sales to ultimate consumers			
	Zone 1	Zone 2	Zone 3	Zone 4
220.....	\$64.25	\$66.95	\$68.75	\$71.50
220-I (fully insulated).....	69.75	72.50	74.25	76.95
220-I-0.....	77.50	80.25	81.95	84.75
236.....	75.95	80.25	82.95	87.50
236-I (fully insulated).....	81.50	85.75	88.50	92.95
236-I-0.....	89.25	93.50	96.25	100.75

3. The following is added at the end of paragraph (a):

If the following equipment is added to any model listed above, the appropriate one of the following charges may be added to the maximum prices specified above:

Additional equipment:	Maximum extra charge
High shelf.....	\$12.25
Minute minder and salt and pepper shakers.....	7.50
Minute minder, salt and pepper shakers, and electric light.....	12.25

These maximum extra charges include the Federal excise tax, but do not include any state or local taxes imposed at the point of sale.

4. Paragraph (c) is amended by deleting New Jersey from Zone 1, and adding it to Zone 2.

This amendment shall become effective on the 20th day of March 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4613; Filed, Mar. 19, 1946;
4:37 p. m.]

[MPR 64, Rev. Order 219]

CROWN STOVE WORKS

APPROVAL OF MAXIMUM PRICES

Order No. 219 under Maximum Price Regulation No. 64 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 64; *It is ordered*:

(a) This revised order establishes maximum prices for sales of the Model 235-54 gas range and the Model 1214-54 bungalow range manufactured by the Crown Stove Works, 4627-4635 West Twelfth Street, Chicago, Illinois.

(1) For sales in each zone by wholesale distributors to retail dealers the maximum prices, including the Federal excise tax, are those set forth below:

Model	Maximum prices for sales to retail dealers			
	Zone 1	Zone 2	Zone 3	Zone 4
235-54.....	Each \$81.80	Each \$84.11	Each \$86.80	Each \$88.99
1214-54.....	100.77	103.74	106.86	109.21

These maximum prices are f. o. b. wholesale distributor's city. In all other respects they are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(2) For sales in each zone by retail dealers to ultimate consumers the maximum prices, including Federal excise tax but not including any state or local taxes imposed at the point of sale, are those set forth below:

Model	Maximum prices for sales to ultimate consumers			
	Zone 1	Zone 2	Zone 3	Zone 4
235-54.....	Each \$133.25	Each \$136.95	Each \$141.25	Each \$144.75
1214-54.....	165.75	170.50	175.50	179.25

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum prices for sales of the Model 235-54 gas range by subtracting \$6.00 from the maximum price as shown above for sales on an installed basis; and he shall compute his maximum price for sales of the Model 1214-54 bungalow range by subtracting \$9.00 from the maximum price as set forth above for sales on an installed basis. In all other respects, these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances), and other price differentials in effect on sales of similar articles.

(b) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale after the effective date of this order the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for resales by the purchaser. This notice may be given in any convenient form.

(c) The manufacturer shall, before delivering any range covered by this revised order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the OPA retail ceiling prices established by this revised order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation the maximum price is \$6.00 less than the price shown on the label.

(d) For purposes of this revised order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Illinois.

Zone 2: Minnesota, Iowa, Nebraska, Kansas, Oklahoma, Missouri, Arkansas, Wisconsin, Mississippi, Tennessee, Kentucky, Indiana, Michigan, Ohio, Pennsylvania, New York, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, District of Columbia, Maryland, West Virginia, Virginia, North Carolina, South Carolina, Georgia, and Alabama.

Zone 3: Florida, Louisiana, Maine, Texas, Colorado, Wyoming, Montana, North Dakota, and South Dakota.

Zone 4: New Mexico, Arizona, Utah, Idaho, Washington, Oregon, Nevada, and California.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 20th day of March 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4614; Filed, Mar. 19, 1946;
4:36 p. m.]

[MPR 86, Order 52]

GENERAL ELECTRIC CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Maximum Price Regulation No. 86; *It is ordered:*

(a) This order establishes ceiling prices for sales of the Model AR-17 ironing machine manufactured for resale to its distributors and dealers by the General Electric Company, 1285 Boston Avenue, Bridgeport 2, Connecticut.

(1) The General Electric Company shall determine its ceiling price for the Model AR-17 ironing machine in accordance with the provisions of sections 3 and 5 of Maximum Price Regulation No. 86, except that it shall increase the ceiling price so established by \$0.56.

(2) For sales by distributors to dealers the ceiling prices are those determined in accordance with the provisions of section 15 of Maximum Price Regulation No. 86, except that the ceiling price so determined shall be increased by \$0.56.

This price is f. o. b. seller's city. When, however, shipment is made directly from the factory to the dealer pursuant to the distributor's order, the above prices are f. o. b. the dealer's city.

(3) The ceiling price for sales by dealers in the 48 states and the District of Columbia for the model listed below is as follows:

Article	Model	Dealers' ceiling price to consumers
Ironing machine.....	AR-17	\$32.55

This ceiling price is subject to each retail seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) At the time of, or prior to, the first invoice to each distributor, the manufacturer shall notify him in writing of the method of determining ceiling prices established by this order for resales by the distributor. This notice may be given in any convenient form.

(c) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this order.

(d) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of March 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4615; Filed, Mar. 19, 1946;
4:38 p. m.]

[MPR 188, Amdt. 1 to Order 4494]

BEACON HILL LAMPS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered,* That paragraph (a) (1) of Order No. 4499 under § 1499.158 of Maximum Price Regulation No. 188 be amended to read as follows:

1. For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
China table lamp with metal base, height 23"	6000	\$4.67	\$5.50	\$9.90
China table lamp decal decorated and gold trim height 24"	129	8.50	10.00	18.00
China table lamp decal decorated and gold trim height 22 1/4"	1030	8.29	9.75	17.55
China table lamp decal decorated and gold trim height 24"	411A	5.10	6.00	10.50
China table lamp decal decorated and gold trim height 29"	125	7.44	8.75	15.75

These maximum prices are for the articles described in the manufacturer's application dated August 4, 1945.

This amendment shall become effective on the 20th day of March 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4619; Filed, Mar. 19, 1946;
4:38 p. m.]

[MPR 188, Amdt. 1 to Order 4509]

COLONIAL LAMP SHADE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered,* That paragraph (a) (1) of Order No. 4509 under § 1499.158 of Maximum Price Regulation No. 188 be amended as follows:

1. For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hand sewed acetate satin, bengaline, rayon crepe, and celanese taffeta, lamp shade, with fringe, braid, or ruffling trim and rust proof frames:		Each	Each	Each
8 1/2"	113	\$3.10	\$3.65	\$6.60
14 1/2"	1425	4.67	5.50	9.90
14 1/2"	12142	4.25	5.00	9.00
15"	518	3.19	3.75	6.75
16"	370	5.06	5.95	10.75
16"	761	3.82	4.50	8.10
16"	916	4.46	5.25	9.45
16"	4116	3.61	4.25	7.65
16"	2007	4.89	5.75	10.35
16"	6141	4.67	5.50	9.90
16 1/2"	518	2.40	4.00	7.20
17"	3070	6.80	8.00	14.40
17"	Sevirl.	7.65	9.00	16.20
18"	1811	4.89	5.75	10.35
18"	8127	5.10	6.00	10.80

These maximum prices are for the articles described in the manufacturer's application dated March 2, 1945.

This amendment shall become effective on the 20th day of March 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4620; Filed, Mar. 19, 1946;
4:39 p. m.]

[MPR 188, Order 4915]

HYDRO CHECK PRODUCTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation 188, *It is ordered:*

(a) The maximum delivered prices for sales by any person of "Hydro Check", "Waterproof Coating", and "Cement Coating", waterproofing materials in the following sizes, manufactured by Hydro Check Products, Inc., 4026 E. 89th Street, Cleveland 5, Ohio, shall be:

Commodity	Quantity	On sales to—	
		Re-sellers	Consumers
Hydro check.....	1 lb.....	\$0.37	\$0.50
	2 lb.....	.67	.90
	5 lb.....	1.50	2.00
	10 lb.....	2.60	3.50
	50 lb.....	11.25	15.00
Waterproof coating...	5 lb.....	1.05	1.40
	10 lb.....	1.97	2.60
	50 lb.....	9.37	12.50
Cement coating.....	5 lb.....	1.05	1.40
	10 lb.....	1.97	2.60
	50 lb.....	9.37	12.50

Prices to resellers are subject to the following quantity discounts: 1 lb. to 1,000 lbs., 10 percent; 1,000 lbs. to 2,000 lbs., 33 1/3 percent.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of any of the aforesaid commodities to a reseller, the manufacturer shall furnish such reseller with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been estab-

lished by the Office of Price Administration.

(d) Prior to making any delivery of the aforesaid commodities after the effective date of this order the manufacturer shall mark or cause to be marked on the container the following legend:

Maximum Retail Price—\$-----

The blank in the quoted phrase shall be filled in with the applicable maximum retail price.

This order shall become effective March 20, 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4621; Filed, Mar. 19, 1946;
4:39 p. m.]

[MPR 591, Order 369]

FEDERAL-HUBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, for sales by any person of the following plumbing brass goods manufactured by Federal-Huber Company, Chicago, Illinois, and as described in its application dated January 23, 1946, shall be:

Plate No.	Description	On sales to jobbers	On sales to plumbing and heating contractors, installers, commercial and industrial users	On sales to consumers
2160	Brass combination sink faucet, deck type, 6" centers with 6" center horizontal tubular spout threaded for areator fitted with strainer, lever handles and tailpieces, all exposed parts chrome plated.	\$4.79	\$6.30	\$6.95
2161	Brass combination sink faucet, deck type 6" centers with 7 1/2" center elevated tubular spout threaded for areator, fitted with strainer, lever handles and tailpieces, all exposed parts chrome plated.	4.79	6.30	6.95
2162	Deluxe brass combination sink faucet, deck type, 6" centers with 6" center elevated cast art design spout fitted with areator, dome type lever handles with hot and cold index buttons and tailpieces, all exposed parts chrome plated.	6.19	8.15	8.95
2163	Deluxe brass combination sink faucet, deck type, 6" centers with 7 1/2" center elevated cast art design spout fitted with areator dome type lever handles with hot and cold index buttons and tailpieces, all exposed parts chrome plated.	6.19	8.15	8.95

Plate No.	Description	On sales to jobbers	On sales to plumbing and heating contractors, installers, commercial and industrial users	On sales to consumers
2164	Deluxe brass combination sink faucet deck type, 6" centers with 6" center elevated cast art design spout fitted with areator diverter, hose and spray, dome type lever handles with hot and cold index buttons and tailpieces, all exposed parts chrome plated.	\$9.31	\$12.25	\$13.45
2165	Deluxe brass combination sink faucet deck type, 6" centers with 7 1/2" center elevated cast art design spout fitted with areator, diverter, hose and spray, dome type lever handles with hot and cold index buttons and tailpieces, all exposed parts chrome plated.	9.31	12.25	13.45
2015	Brass combination sink faucet deck type, 6" centers with apron type shell with art design cast spout with diverter, hose and spray with lever handles, all exposed parts chrome plated.	7.56	9.95	10.95
2180	Brass combination lavatory fitting, 4" centers, cast elevated spout with strainer, chainstay ring, lever handles and tailpieces, all exposed parts chrome plated.	4.18	5.50	6.05
2181	Brass combination lavatory fitting 4" centers with pop-up waste, cast elevated spout with strainer, lever handles and tailpieces, all exposed parts chrome plated.	5.74	7.55	8.30
2140	Brass rim type tub faucet, 4" centers, cast elevated spout lever handles, all exposed parts chrome plated.	4.03	5.30	5.85
2141	Brass wall mount tub filler, 6" centers, cast spout, four arm handles, hot and cold index buttons, wall flanges with 1/4" adjustment, all exposed metal parts chrome plated.	5.89	7.75	8.50
2142	Brass wall mount tub filler, 6" centers, cast spout diverter, four arm handles, hot and cold index buttons, wall flanges with 1/4" adjustment, all exposed metal parts chrome plated.	6.57	8.65	9.50
2028	Brass combination sink faucet, deck type, 6" centers with tubular spout, lever handles all exposed parts chrome plated.	3.99	5.25	5.75
2167	Brass combination sink faucet, deck type, with pull out elevated spout with areator shanks - 6" centers, polished chrome plated.	6.19	8.15	8.95

(b) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the

same class on comparable sales of commodities in the same general category during March 1942.

(c) The maximum prices approved under this order include all price increases authorized by section 2.6 of Order 48 under Maximum Price Regulation No. 591 to date and may not be further increased pursuant to the provisions of that order, as are in effect as of the date of this order.

(d) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except retailers upon resale.

(f) Federal-Huber Company shall attach a tag to each article covered by this order, containing the following:

OPA Maximum Consumer Price Uninstalled—
\$-----

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 20, 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4624; Filed, Mar. 19, 1946;
4:37 p. m.]

[MPR 188, Order 4916]

NORTHEAST TOOL & DIE WORKS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Northeast Tool & Die Works, Incorporated, 1400 Agnes Avenue, Kansas City 1, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
Roller painter 7" x 1 1/2" metal tube, covered with shearing wool, mounted on a shaft for rolling, shaft bent to make a 10-inch handle, 4-inch wood grip.		Each \$0.36	Each \$0.43	Each \$0.50	Each \$0.75

These maximum prices are for the articles described in the manufacturer's application dated January 30, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. This price is f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.75 each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of March, 1946.

Issued this 19th day of March 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-4622; Filed, Mar. 19, 1946;
4:38 p. m.]

[Rev. SR 11, Order 1]

TRANSPORTATION SERVICES BY WATER IN NEW YORK HARBOR

MAXIMUM RATES

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the Emergency Price Control Act of 1942, as amended, sections 18 (c) and (e) and 19 (a) of the General Maximum Price Regulation, section 16 (a) of Revised Maximum Price Regulation 165, and § 1499.46 (c) of Revised Supplementary Regulation No. 11, it is ordered:

(a) Maximum rates for transportation and tug boat services by water in New York Harbor. The maximum rates for any transportation by water or towing services performed within New York Harbor, shall be the rate lawfully in effect

on March 24, 1944, or as subsequently increased pursuant to a proper thirty-day notice filed under Procedural Regulation No. 11, or to an order of the OPA adjusting these rates.

(b) Notwithstanding the provisions of any other order or regulation, no increases in the maximum rates prescribed by paragraph (a) may be made by the giving of a thirty-day notice during the period this order is in effect. However, any person or group of persons performing services subject to this order may petition the Administrator for an increase in the maximum rates applicable to all or any such services. Such petition shall be in writing and shall furnish the same information as is required by § 1499.75 (a) (3) of Supplementary Regulation 15 in cases in which a contract carrier seeks an adjustment of its maximum rates, together with any other facts upon which petitioners may rely to justify the increase. After investigation, the Administrator shall by order either deny the petition or authorize the proposed increase or such lesser increase as he may find to be consistent with the purposes of the Emergency Price Control Act, as amended, and of the national stabilization policy, including Executive Orders 9599 and 9697.

(c) The maximum rates for services performed by any person not acting as a common carrier shall remain subject to the General Maximum Price Regulation or Revised Maximum Price Regulation 165, depending on the type of service, and adjustment of those rates shall be made pursuant to § 1499.75 (a) (3) of Supplementary Regulation No. 15, or Section 16 of Revised Maximum Price Regulation 165. Orders issued pursuant to paragraph (b) may, however, adjust or modify the maximum rates of carriers referred to in this paragraph.

(d) If necessary to promote distribution or production, and if not inimical to the purposes of the Emergency Price Control Act, as amended, an adjustable pricing order may be issued pursuant to this order, granting authority to deliver or agree to deliver at prices to be adjusted upward in accordance with maximum prices established by OPA after the delivery.

(e) This order shall not apply to services subject to the direct jurisdiction of the Interstate Commerce Commission and for which maximum rates have been established or otherwise regulated by that Commission.

This order shall become effective March 19, 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4611; Filed, Mar. 19, 1946;
4:38 p. m.]

[MPR 188, Order 9]

THERMOSTATS FOR USE IN GAS AND ELECTRIC RANGES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed

with the Division of the Federal Register, and pursuant to § 1499.159e of Maximum Price Regulation No. 188, it is ordered:

SECTION 1. Purpose of this order. Thermostats for use in gas and electric cooking ranges have been found to be a reconversion product in accordance with the standards set forth in § 1499.159e of Maximum Price Regulation No. 188. This order, issued under that section specifies a price increase factor for the product which manufacturers of such thermostats may use to adjust their current ceiling prices for sales of the articles.

SEC. 2. Manufacturers' ceiling prices. Manufacturers of thermostats for use in gas or electric cooking ranges shall determine their ceiling prices under this order for sales to each class of purchaser by increasing their highest price in effect to that class of purchaser during October, 1941 by no more than 10 percent.

SEC. 3. Relationship of this order to the General Maximum Price Regulation and Maximum Price Regulation No. 188. The provisions of this order supersede the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 188, with respect to sales and deliveries for which ceiling prices are established by this order, only to the extent that they are inconsistent with the provisions of those regulations.

This order shall become effective on the 19th day of March 1946.

Issued this 19th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-4618; Filed, Mar. 19, 1946;
4:37 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 7-875, 7-876]

PHILADELPHIA STOCK EXCHANGE ET AL.

ORDER SETTING HEARING ON APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of March, A. D. 1946.

In the matter of applications by the Philadelphia Stock Exchange to Extend Unlisted Trading Privileges to Chicago, Milwaukee, St. Paul & Pacific Railroad Company, VTCs for Common Stock, No Par Value, File No. 7-875; General Public Utilities Corporation, Common Stock, \$5 Par Value, File No. 7-876.

The Philadelphia Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Mon-

day, April 1, 1946, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William W. Swift, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-4634; Filed, Mar. 20, 1946;
11:09 a. m.]

[File Nos. 54-108, 59-81]

CRESCENT PUBLIC SERVICE CO., ET AL.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of March, A. D. 1946.

In the matters of Crescent Public Service Company, Central Ohio Light & Power Company, Colorado Central Power Company, Empire Southern Service Company, Helene Curley Rea, Robert W. Rea, Floyd W. Woodcock, Kathleen T. Woodcock, Robin Corporation, (Applicants); File No. 54-108; Crescent Public Service Company, Central Ohio Light & Power Company, Colorado Central Power Company, Empire Southern Service Company, (Respondents), File No. 59-81.

Crescent Public Service Company ("Crescent"), a registered holding company, having filed a declaration and amendments thereto, pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder regarding the sale of all the outstanding securities of Empire Southern Service Company to Empire Southern Gas Company, for the consideration of \$410,000 plus net current assets at the date of closing, and

Such declaration having been filed by Crescent in connection with its plan heretofore approved by this Commission pursuant to Section 11 (e) of the Act, and this Commission in its order of February 1, 1946, approving said plan, having reserved jurisdiction with respect to said proposed sale, a petition of Don R. Zachry and a motion of Empire Southern Gas Company relating to said proposed sale, and certain other matters; and

A public hearing herein having been held after appropriate notice, and the

Commission having examined the record and entered its findings and opinion herein;

It is ordered, That said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the jurisdiction heretofore reserved with respect to said proposed sale be, and the same hereby is, released.

It is further ordered, That the petition of Don R. Zachry to intervene be, and the same hereby is, denied, that the motion of Empire Southern Gas Company to deny said petition be, and the same hereby is, granted, and that the motion of Empire Southern Gas Company to dismiss said petition be, and the same hereby is, dismissed.

It is further ordered, That in all respects the jurisdiction reserved in our order herein dated February 1, 1946, including jurisdiction with respect to all fees and expenses of Crescent herein, be, and the same hereby is, continued, except to the extent that such jurisdiction has heretofore been released by our orders herein dated February 27, 1946, and March 12, 1946.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-4633; Filed, Mar. 20, 1946;
11:09 a. m.]

[File Nos. 70-1246, 54-128]

NY PA NJ UTILITIES CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of March 1946.

In the matters of NY PA NJ Utilities Company, Metropolitan Edison Company, File No. 70-1246; National Power & Light Company, Pennsylvania Power & Light Company, File No. 54-128.

Notice is hereby given that a joint application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by NY PA NJ Utilities Company, a registered holding company, and Metropolitan Edison Company (Met Ed), a subsidiary thereof;

Notice is further given that a joint application-declaration has also been filed by National Power & Light Company (National), a registered holding company, and Pennsylvania Power & Light Company (Pennsylvania), a subsidiary thereof.

All interested persons are referred to such documents which are on file in the offices of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Met Ed proposes to purchase and Pennsylvania proposes to sell all of the outstanding capital stock of Edison Illuminating Company (Edison), consisting of 12,317 shares of the par value of \$25 per share, and capital stock scrip, for a consideration of \$298,179 plus a

sum equal to the net assets of Edison at the date of closing. Edison owns certain electric utility assets used to supply light, heat and power in the City of Easton, Pennsylvania. Met Ed also owns certain electric utility assets used to supply light, heat and power in the City of Easton and at present is in possession of, and is operating, the property of Edison under a long-term lease expiring February 1, 1999, under which Met Ed pays to Edison an annual rental of \$29,244.67. Met Ed, in due course, plans to merge Edison into itself. Such merger, however, is not part of the presently proposed transactions.

By order dated October 26, 1945, this Commission approved the acquisition by Pennsylvania from National of the capital stock of Edison subject to the condition that Pennsylvania make some appropriate disposition of the Edison stock within a period of one year from the date of such order. Pennsylvania states that the proposed transaction is in compliance with such condition.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect of such matters and that said declaration shall not become effective nor said applications be granted except pursuant to further order of this Commission; and

It further appearing that all of the foregoing matters are related and involve common questions of law and fact, and that evidence offered in respect of each of such matters may have a bearing on the others, and that substantial savings of time, effort, and expense will result if the hearings in said matters are consolidated;

It is hereby ordered, That the proceedings in respect of the foregoing matters be consolidated for hearing and that a hearing in such consolidated proceedings under the applicable provisions of said act and the rules of the Commission promulgated thereunder be held on March 28, 1946 at 10:30 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at which time the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such declaration and applications shall become effective or shall be granted. Any person desiring to be heard in such proceedings shall file with the Commission on or before March 25, 1946, his request therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration and applications otherwise to be considered in this proceeding, particular attention will be di-

rected at the hearing to the following matters and questions:

1. Whether the proposed sale by Pennsylvania and the acquisition by Met Ed of the capital stock of Edison satisfies the applicable standards of sections 10 and 12 (d) of the act;

2. Whether in particular the proposed consideration for the capital stock of Edison is fair and reasonable;

3. Whether the proposed sale by Pennsylvania of the capital stock of Edison is an appropriate disposition of such stock in compliance with the order of the Commission dated October 26, 1945;

4. The propriety of the accounting treatment to reflect the proposed transactions on the books of the declarants-applicants;

5. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors or consumers and consistent with all applicable requirements of the act and of the rules thereunder, or, if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standards.

It is further ordered, That notice of such hearing be given to declarants and applicants, and to all other interested persons; said notice to be given to declarants and applicants by registered mail, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to persons on the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

It is further ordered, That jurisdiction be, and hereby is, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions, or matters included in these proceedings, or to consolidate with these proceedings other filings or matters pertaining thereto, or to take such other action as may appear necessary to an orderly, prompt and economical disposition of the issues and matters involved.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-4635; Filed, Mar. 20, 1946;
11:09 a. m.]

[File No. 70-1248]

CITIES SERVICE POWER & LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of March, A. D. 1946.

Cities Service Power & Light Company, a registered holding company, has filed a declaration pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder regarding a proposal to enter into an agreement with certain banks holding its Bank Loan Notes under which

Bank Loan Notes maturing on March 15, 1946 and September 15, 1946 in the principal amount of \$1,000,000 on each of the aforementioned dates will be extended to March 15, 1947, and under which the proceeds from the disposition of certain collateral will not be required to be applied to the payment of such Notes.

Said declaration having been filed on the fifth day of March 1946, and notice of filing having duly given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

Cities Service Power & Light Company having requested acceleration of the Commission's action upon said declaration; and

The Commission finding that the requirements of sections 6 (a) and 7 of the act are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration should be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-4632; Filed, Mar. 20, 1946;
11:09 a. m.]

[File No. 70-1249]

POTOMAC EDISON CO. ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of March, A. D. 1946.

In the matter of The Potomac Edison Company, Northern Virginia Power Company, Page Power Company, Madison Power Company, Massanutten Power Corporation, File No. 70-1249.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Potomac Edison Company ("Potomac"), a registered holding company and a subsidiary of American Water Works and Electric Company, Inc., and West Penn Electric Company, also registered holding companies, and by four direct subsidiaries of Potomac, namely, Northern Virginia Power Company ("Northern Virginia"), Page Power Company ("Page"), Madison Power Company ("Madison") and Massanutten Power Corporation ("Massanutten").

Notice is further given that any interested person may, not later than the 28th day of March 1946, at 5:30 p. m., e.s.t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or request that he be notified if the Commission should order a hearing thereon; at any time thereafter such joint application-declaration as filed, or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint application-declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed which may be summarized as follows:

Potomac, presently the owner of all of the outstanding capital stock of Page, Madison and Massanutten, which securities were purchased by Potomac for an aggregate cost of \$1,956,077.97 in cash pursuant to appropriate authorizations of this Commission, proposes to transfer to Northern Virginia all of said capital stocks in exchange for 19,560 shares of common stock, par value \$100 per share, of Northern Virginia plus or minus, as the case may be, \$1,000 par value of such stock for each full \$1,000 of the net amount of certain adjustments to be made on the basis of the excess of Potomac's cost of the stocks of said companies over the aggregate par value of the common stock of Northern Virginia to be received by Potomac and on the basis of net changes in utility plant and current asset accounts of the three companies being transferred between September 1, 1945, and the date of acquisition of said stocks by Northern Virginia (any adjustment amounting to less than \$1,000 to be discharged by a cash payment).

At the present time, the capital stocks of Page, Madison and Massanutten are pledged under the indenture and first supplemental indenture of Potomac, securing its First Mortgage and Collateral Trust Bonds. Potomac proposes to pledge the common stock of Northern Virginia and any cash to be received from the sale of the stocks of Page, Madison and Massanutten with the indenture trustee in exchange for the release of these shares of capital stock. Potomac also proposes to purchase 6,810 additional shares of common stock of Northern Virginia for \$681,000 in cash and to pledge such shares with Potomac's bond indenture trustee.

Northern Virginia presently has outstanding indebtedness payable on demand to Potomac in the aggregate amount of \$681,774.46 (consisting of a promissory note in the face amount of \$291,373.91 and open account indebtedness amounting to \$390,400.55) which indebtedness is now pledged by Potomac with its bond indenture trustee. North-

ern Virginia proposes to discharge and retire such indebtedness by payment to Potomac of \$681,774.46 in cash. Potomac's bond indenture trustee will thereupon release such indebtedness from the lien of the mortgage indenture of Potomac.

As soon as practicable after the acquisition by Northern Virginia of the capital stocks of Page, Madison and Massanutten, these companies will be merged into Northern Virginia in accordance with the laws of the State of Virginia and pursuant to a joint agreement of merger to be entered into by Northern Virginia

and Page, Madison and Massanutten. In connection with such merger, Northern Virginia proposes to surrender to the issuing companies, for cancellation and retirement, all of the outstanding shares of capital stock of Page, Madison and Massanutten. The filing states, among other things, that the Maryland Public Service Commission, West Virginia Public Service Commission and Virginia State Corporation Commission have jurisdiction over certain steps in the proposed transactions and that the Federal Power Commission has jurisdiction over the merger into Northern Virginia of

Page, Madison and Massanutten and that copies of the orders of these Commissions are to be supplied by amendment herein.

The applicants-declarants have designated sections 6 (a), 7, 9 (a) (1), 10 and 12 (d) of the act and Rules U-42, U-43 and U-44 as being applicable to the proposed transactions.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-4631; Filed, Mar. 20, 1946;
11:09 a. m.]